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HANSARD'S

PARLIAMENTARY DEBATES:

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

9° & 10° VICTORIÆ, 1846.

VOL. LXXXVII.

COMPRISING THE PERIOD FROM

THE FOURTH DAY OF JUNE,

TO

THE TWENTY-FOURTH DAY OF JULY, 1846.

Fifth Volume of the Session.

LONDON:

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1846.

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IN THE CABINET.

First Lord of the Treasury	Right Hon. Lord JOHN RUSSELL.
Lord Chancellor	Right Hon. Lord COTTENHAM.
President of the Council	Most Hon. Marquess of LANSDOWNE.
Privy Seal	Right Hon. Earl of MINTO.
Home Secretary	Right Hon. Sir GEORGE GREY.
Foreign Secretary	Right Hon. Viscount PALMERSTON.
Colonial Secretary	Right Hon. Earl GREY.
Chancellor of the Exchequer	Right Hon. CHARLES WOOD.
First Lord of the Admiralty	Right Hon. Earl of AUCKLAND.
President of the Board of Control	Right Hon. Sir JOHN CAM HOBHOUSE.
President of the Board of Trade	Right Hon. Earl of CLARENDON.
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Postmaster General	Most Hon. Marquess of CLANRICARDE.
Chancellor of the Duchy of Lancaster	Right Hon. Lord CAMPBELL.
Woods and Forests	Right Hon. Viscount MORPETH.

NOT IN THE CABINET.

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Master General of the Ordnance	Most Hon. Marquess of ANGLESEY.
Vice-President of the Board of Trade	Right Hon. T. MILNER GIBSON.
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Secretary at War	Right Hon. FOX MAULE.
Joint Secretaries of the Treasury	J. PARKER, Esq. and H. TUFNELL, Esq.
Master of the Mint	Right Hon. R. L. SHEIL.
Secretaries of the Board of Control	Right Hon. G. S. BYNG, and T. WYSE, Esq.
Under Secretary for the Home Department	Sir W. SOMERVILLE.
Under Secretary for Foreign Affairs	Right Hon. E. J. STANLEY.
Under Secretary for the Colonies	BENJAMIN HAWES, Esq.
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Surveyor General of the Ordnance	Colonel FOX.
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Judge-Advocate General	Right Hon. CHARLES BULLER.
Lord Advocate of Scotland	Right Hon. ANDREW RUTHERFURD.
Solicitor General for Scotland	THOMAS MAITLAND, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl of BESBOROUGH.
Lord Chancellor	Right Hon. MAZIERE BRADY.
Attorney General	Right Hon. RICHARD MOORE.
Solicitor General	JAMES HENRY MONAHAN, Esq.

QUEEN'S HOUSEHOLD.

Lord Chamberlain	Right Hon. Earl SPENCER.
Lord Steward	Right Hon. Earl FORTESCUE.
Master of the Horse	Duke of NORFOLK.
Master of the Buckhounds	Earl GRANVILLE.
Vice-Chamberlain	Lord EDWARD HOWARD.
Comptroller of the Household	Lord ARTHUR MARCUS CECIL HILL.
Chief Equerry and Clerk Marshal	Lord ALFRED PAGET.
Mistress of the Robes	Duchess of SUTHERLAND.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE *FIFTH SESSION* OF THE *FOURTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 11 NOVEMBER, 1841, AND FROM THENCE CONTINUED TILL 22 JANUARY, 1846, IN THE NINTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIFTH VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, June 4, 1846.

MINUTES.] PUBLIC BILLS.—2ª. Customs Duties Bill; Viscount Hardinge's Annuity; Viscount Hardinge's Annuity (No. 2); Lord Gough's Annuity.

PETITIONS PRESENTED. From Glasgow and Tamworth, in favour of the Corn Importation and Customs Duties Bills.—From Carlisle, and other places, in favour of the Corn Laws.—From Guardians of the Buckingham Union, for the Adoption of a Measure making the Landlords of Cottages where the Rents are under £6 liable to the Poor Rates.—From a great number of places, against the Charitable Trusts Bill.—By Lord Campbell, from Dundee and several other places, praying that a Bill may be passed compensating the Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).—From Guardians of the Cuckfield Union, and from several other places, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on, the Sabbath.—From Isaac Maydwell, of Islington, and Charles Cordingly, of Manchester, against the Corn Importation and Customs Duties Bills.—From Essex and other places, against the Corn Laws.—From Miss Jane Ashby, of Northiam, Sussex, complaining of Losses incurred by her from Conscientious Scruples in declining to be Sworn at the Lewes Assizes.—By the Bishop of Lichfield, and Bishop of St. David's, from Wyly, and several other places, against the proposed Union of Saint Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.

THE CANADIAN ADDRESS.

LORD STANLEY gave notice that he should to-morrow move for a Copy of the Address of the House of Assembly of Canada on the subject of the Commercial Policy of Her Majesty's Government; and a Copy of any recent Despatches from Lord Cathcart, as well as of the Addresses from other bodies in Canada on the same subject.

The EARL of DALHOUSIE trusted their Lordships would indulge him for a few moments in making a few remarks on a matter somewhat personal to himself. It would be in their Lordships' recollection that, during the discussion upon the second reading of the Corn Bill, on Thursday night last, in meeting the arguments which had been advanced by several noble Lords with reference to the bearing of that measure on colonial interests, he combated the fears entertained by those noble Lords, and controverted the arguments raised by them with respect to the sentiments entertained by the colonists themselves with reference to that measure; and he quoted an Address from the Assembly of Lower Canada, together with a portion of a despatch bearing on that Address; and he founded on that Address, the whole of which he read to their Lordships, the statement that the Government had no reason to believe that

the sentiments of the colonists were adverse to the views of Her Majesty's Ministers on the question. He was not about to commit the irregularity of alluding to what had taken place out of the House; but if he should, by implication, allude to what was known to their Lordships, he trusted, under the peculiar circumstances of the case, he should not be called to order, or be held to say anything which could be considered a breach of order, or offensive to any individual. It was, he believed, well known to their Lordships, that on the following day a question was put publicly to the First Minister of the Crown, which was introduced by the statement that a question was about to be put which bore the appearance of throwing by implication an imputation on the character for fairness and truthfulness of a Member of the Cabinet, and that that Member of the Cabinet was the Earl of Dalhousie. The question was then put, whether at the time he (the Earl of Dalhousie) made that statement with respect to the Address from the House of Assembly, he was aware of the existence of another Address which had subsequently been forwarded to this country, and which had at that time arrived? Now, he confessed, and was not ashamed to confess, that he felt deeply wounded by such a question being put in connection with his name, because there was nothing in his past conduct, either in their Lordships' House or out of it, which could justify the imputation of unfairness or untruthfulness. He was aware that the question was coupled with the statement that an explanation had been given by him (the Earl of Dalhousie) in private, as at once showed that no such imputation was applicable to him; but he could not help feeling that that statement having gone out uncoupled with any statement by himself, or any contradiction on his part, must have left on the minds of many persons in the country an impression that it was not very clear whether he was aware of the existence of that Address or not. Now no one could for a moment suppose that it would have been worth his while on Thursday night to imply that no Address had been received from Canada, when, if he had known of its existence, he must also have known that it would be produced the next morning; and consequently that the fact of its omission would have been much more injurious to his case than if he never made any allusion at all to an Address from Canada. He begged to say, that he was not aware, and that it was physically impossible that he could have been aware, of its existence. He had applied to the proper Office, and found the facts to be simply these. The steamer which brought the despatches arrived at Liverpool after their Lordships commenced their sitting at half-past five o'clock on Thursday evening. The despatches were forwarded by the Post Office, and arrived in London after their Lordships closed their sitting at six o'clock in the morning; and were sent to the Colonial Office in the ordinary course of post, at ten o'clock; and he was not aware of the existence of the Address, the despatch, or the mail, until his right hon. Friend the Vice President of the Board of Trade came to him between five and six o'clock, to announce to him that the question was to be put, and to ask if he was aware of the existence of the Address. He was aware it was said that persons in town late that night were aware of the existence of it; but he could assure their Lordships in his place as a Peer, and upon his honour, that he was not aware of its existence. He was not aware of the arrival of any mail—he was not aware of the expression of any opinion contrary to that which he read as the opinion of the Legislative Assembly, and which he sincerely believed to express fully and finally the sentiments of the people of that Colony. He would not comment at all upon what had taken place. He would only express his regret, that if it was thought necessary to put the question, it was not put by some noble Lord, and to his face, in that House. He regretted that it was put at a time when a week must elapse before he could take any notice of it in the way of debate or comment; and he regretted that it was not put in the House of which he was a Member, but that he should have been left to the defence of others instead of to his own vindication. He felt it due to their Lordships and to himself to make this explanation, and trusted their Lordships would not think he had occupied their time unnecessarily.

Lord STANLEY said, that no one who knew his noble Friend would suppose that in whatever terms the question was put in another place, with regard to the Address, there could be on the part of any human being the slightest intention of casting the smallest shadow of imputation on his personal character and honour. He himself was not aware that there was any intention of putting the question. He received the Address by post on the following morning, and saw with some sur-

prise that the question had been put in the course of the afternoon, not, however, as he understood, for the purpose of ascertaining whether his noble Friend was cognizant of the existence of the Address at the time he made his statement, but for the purpose of knowing whether, at the time the debate closed, Her Majesty's Government knew that such an Address had been received? He was quite satisfied that not only in their Lordships' House—not only in the other House of Parliament—but throughout the country generally, the high honour and character of his noble Friend rendered it unnecessary for him for a single moment to enter upon the exculpation of himself from a charge which, if it had rested on the slightest foundation, would not only have involved a gross breach of public honour, but also of the grossest folly. With regard to the regret expressed by his noble Friend, that the question had not been put in their Lordships' House, he must have overlooked the circumstance that immediately on the close of the debate on Thursday evening their Lordships adjourned, and it was not till this moment they had met after the recess. It was very natural that the arrival of a despatch of such a nature should excite immediate attention, and that it should be brought under the notice of Her Majesty's Government at the earliest period in another place. As his noble Friend the Under Secretary for the Colonies had intimated his intention of laying the despatch on the Table of the House, perhaps he might be excused in making one or two observations on the subject of that Address, and the statement made by his noble Friend. He took the liberty, in the observations which he made to their Lordships on the second reading of the Corn Importation Bill, to state his serious apprehension that the measure would be, in a commercial point of view, seriously injurious to the province of Canada—that it would excite serious discontent there, and cause great irritation. He also pointed out specific effects which he expected to result from the measure. These were the diminution of the agricultural prosperity of Canada, and the consequent inability of its inhabitants to take our manufactures in return—the throwing away of a great portion of the capital which, by our assistance, Canada had been induced to lay out on the improvement of the navigation of the St. Lawrence; and he mentioned also the political dangers which were likely to result from giving the province of Canada an inducement to act independently of this country with respect to its commercial policy, and the danger of throwing that province into too great an intimacy, commercially and politically, with the United States. He would not say that his apprehensions were treated with inattention; but they certainly were treated as unfounded and chimerical. Their Lordships were told that the Canadians had no such apprehensions, and no such fears—that the Canadians were throwing themselves, heart and soul, into the principle of free trade. But, even if that were so, it would not diminish his apprehension: if Canada, in consequence of our policy, was disposed to throw herself into the principle of free trade, it was to palliate the evils likely to result from our legislation, by separating herself from her commercial connexion with this country, and availing herself of the closest connexion possible with other countries. He did not say that was a satisfactory answer, or that it removed the particular apprehensions which he felt. But in the course of that very evening—he would not say before his noble Friend ceased speaking—but before twelve hours had elapsed, and before the country were in possession of the recorded contradiction of his apprehensions on the part of his noble Friend, and his noble Friend opposite, there arrived a unanimous Address from the House of Assembly in Canada, verifying his apprehensions with regard to that state of feeling to the very letter, following his specific objections to the course then taken; and had he acted in concert with them, they could not have more completely echoed his sentiments than they did in the Address which he held in his hand, to one or two passages of which he would call their Lordships' attention. The House of Assembly of Lower Canada, one of the most divided bodies in existence, with the greatest variety of interests and of origin, composed of French Canadians, Anglo-Canadians, and United States men, much agitated by political dissensions amongst themselves, had nevertheless come to a unanimous vote in condemnation of the policy of the British Government. They expressed their apprehension in words which he trusted would not be lost on their Lordships, before they were again called upon to give their vote on this important subject. The unanimous vote of the House of Assembly assured Her Majesty that while they have seen with feelings of satisfaction the hap-

piness and prosperity of the people of that Colony advancing in steady and successful progression, under a moderate system of protection, they feel it their duty to represent to Her Majesty that they view with serious alarm and apprehension, as detrimental to the best interests of the Colony, the adoption of the proposed principle of commercial intercourse now under the consideration of the Imperial Parliament. They say they cannot but feel that the abandonment of the protective principle, the very basis of the colonial commercial system—(the very words used by him during the recent debate)—is not only calculated materially to retard the agricultural improvement of the country and check its hitherto rising prosperity, but seriously to impair its ability to purchase the manufactured goods of Great Britain, a result alike prejudicial to the Colony and the Parent State. The Address went on to thank Her Majesty and the Parliament for the loan of 1,500,000*l.*, for the improvement of the public works of the Colony; but at the same time they expressed their apprehension that the agriculturists of the province would be deprived of a fair and remunerating price for their supplies, and that consequently the increase of the staple product would be checked to such an extent as materially to lessen the profits of their canals and other public works; and they summed up their Address to Her Majesty in these terms:—

"It, therefore, becomes our duty, as faithful subjects of Your Majesty, to point out what we sincerely believe will be the result of the measures which have for their object the repeal of the laws affording protection to Canadian exports. First, it will discourage those at present engaged in agricultural pursuits from extending their operations. Secondly, it will prevent the influx of respectable emigrants from the mother country, who, by their industry and capital, materially contribute to the rapid advancement of the interests of the Colony. And, lastly, it is much to be feared that should the inhabitants of Canada, from the withdrawal of protection to their staple product, find they cannot successfully compete with the United States in the only market open to them, they will naturally, and of necessity, begin to doubt whether their remaining a portion of the British Empire will be of that paramount advantage which they have hitherto found it to be. These, we humbly submit, are considerations of grave importance to Your Majesty and the people of this province. We trust we need not assure Your Majesty that any change which could tend in the remotest degree to weaken the ties that have for so many years bound the people of Canada to the land which they are proud to call their mother country, would be deemed the greatest misfortune that could befall them."

These were the terms of the loyal and dutiful Address unanimously agreed to by the provinces of East and West Canada, in which they deprecated the evils likely commercially to result to them, and in which they avowed as the greatest of all evils the danger which he (Lord Stanley) took the liberty of pointing out to their Lordships, that the consequences of the measure would not be wholly commercial, but would be political also; and that the people of Canada might, in consequence of this policy of the Government, be led seriously to consider whether their union with this country is of that paramount advantage which they have hitherto felt it to be. He would not add one single word to the force of that Address. Remembering from whom it came—remembering to whom it it was addressed—remembering the strong but yet loyal and affectionate terms in which it was couched—remembering at what time it came—he felt that it would be a satisfactory vindication of the apprehension which he had expressed to their Lordships. He deeply regretted that it did not arrive before their Lordships decided on the second reading of the Bill. He trusted, however, it was not yet too late to remove the apprehensions which had been entertained by the contradiction given to his statement by his noble Friend the President of the Board of Trade and the noble Lord opposite; and that when their Lordships again came to consider the provisions of the Bill for the total removal of all protection—he was not speaking of the sliding-scale or of the present amount of protection—but when their Lordships came to consider the effect of the total removal of all protection from the agricultural interests of this country and the Colonies, he trusted they would bear in mind the loyal and dutiful Address unanimously agreed upon by the House of Assembly of Canada.

EARL GREY had no wish to prolong the debate on the subject, but, after the speech of his noble Friend, he was bound to make one remark. He ventured to say, from what he had seen in the newspapers, that the tone of the discussions which took place in the Canadian Legislature, after the policy of Her Majesty's Ministers was known, was not one of despair or of alarm. Having not yet seen a statement of the subsequent discussions, he had no means of learning what had led to the change of opinion, and the reasons which had created apprehension. But he contended, that in the first instance, none of the existing apprehensions were entertained by the Cana-

dian Assembly, but that, on the contrary, they combined to pass a Resolution expressive of their confidence in the policy about to be pursued by Her Majesty's Government. He was satisfied that the measure which had since been sanctioned by the Legislature would tend to the advantage of our colonial and domestic interests.

Subject at an end.

CUSTOMS DUTIES BILL.

The Earl of DALHOUSIE proceeded to move the Second Reading of the Customs Duties Bill, and said that the Bill was made up of details, which he would not trouble their Lordships by entering largely into; but would content himself with stating generally the reasons which induced Her Majesty's Government to submit the Bill to the consideration of the Legislature. In 1842, one of the first acts of Her Majesty's Government was to submit a proposal to the Legislature for a reconsideration of the Customs laws, and for a complete revision of the Tariff, with a view to the removal of prohibitory, and the relaxation of protective duties. That was not the first adoption of the principle; it was only following in the wake of that course of commercial legislation commenced twenty years before, which had been gradually advancing in the direction the Legislature was now called upon to take. To go no further back than 1819, considerable reductions were then made in the duties on the import of several foreign articles; and between 1819 and 1826 still more numerous and important changes of the same character were made. There were great alterations even in the navigation laws, and in our colonial commercial policy; large reductions were made in the case of almost all the principal articles of import into this country, and with respect to some of them the trade was almost thrown open. It was found, however, in 1842, that there was still a mass of duties imposed upon different articles, regulated apparently by no one pervading principle; and that, in fact, no recognised principle pervaded our system of commercial taxation. Under the superintendence of the noble President of the Board of Control (the Earl of Ripon), and the present Secretary for the Colonies (Mr. Gladstone), those articles were classified, and the charges regulated as far as possible upon a fixed scale—the principles applied to the Tariff being, that as far as possible duties upon raw materials should be removed; that articles wholly manufactured should be subjected to a duty of 20 per cent; and that those partially manufactured should be subjected to a duty of 10 per cent. A list of the principal articles with regard to which changes were then made, had recently been laid on the Table; they amounted to nearly 600 in number; and reductions were made in duties which reached to upwards of 1,300,000*l.* In the following year, 1843, still further reductions were made upon seven different articles; and, in 1844, four others of great importance, and involving large amounts of revenue, were included in the reduction; and, in 1845, the duties were proposed to be reduced on 112 articles, and entirely repealed on 54 of them. By these alterations very large reductions were made from articles from which we derived a large revenue; and a very large number of articles were expunged from it, as far as duties were concerned, although left for the purposes of registration, and that the resources of the country might be ascertained. These changes, especially those of 1842, were introduced in the firm belief that the removal of the duties on the raw material of manufactures, and the reduction of duties on manufactured goods, while beneficial to the consumer, would also give a stimulus to trade, which would tend directly to the benefit of commerce, and in the end leave the revenue very little, if at all, a sufferer by the change; and the mention of a very few of the articles would show how this anticipation was fulfilled. In 1842, and again in 1844, very large reductions were made in the duty upon coffee, the duty on the import of foreign coffee having been reduced in the former year from 15*d.* per lb. to 8*d.*, and on colonial coffee to 4*d.* He would state the amount entered for consumption three years subsequent to the reduction :—

In 1843 the amount was ...	30,000,000 lbs.
1844	31,300.000 "
1845	34,300,000 "

This was only the amount entered for consumption; it did not include the amount imported, and afterwards re-exported. In 1844, a large reduction was made in the duty on sugar. He did not intend to enter into the sugar question then, as that article would form the subject of separate consideration on another occasion. He would only just state the effect of the reduction upon the consumption :—

In 1843 the amount was	...	4,000,000 cwts.
1844	...	4,100,000 "
1845	...	4,880,000 "

He wished particularly to draw attention to the effect of reduction on this article; for an increase in the consumption of sugar tended to an increase in the consumption of other articles on which the duty had not been reduced. Accordingly, although there was no reduction in the duty on tea, the quantity entered for consumption had increased largely.

In 1843 the amount was	...	40,000,000 lbs.
1844	...	41,000,000 "
1845	...	44,100,000 "

In the year 1844 a similar reduction took place on currants, which, however insignificant it might appear, was an article of great importance to the comforts of the people, which brought a considerable sum to the revenue.

In 1843 the amount entered was		254,000 cwts.
1845	...	285,000 "
1846	...	309,000 "

With respect to wool. In 1843 the amount entered was 48,000,000 lbs.; and in 1845, after the reduction in the duty took place, the amount entered was 74,000,000 lbs. Flax had also experienced similar results. In many material objects of consumption a similar large reduction had taken place with the same results, as, for instance, in the raw material of the linen manufacture, in hemp, in indigo, in logwood, and in various dyeing materials. The Paper which he held in his hand would show their Lordships that in all those articles upon which this reduction had taken place, the anticipations which had been previously formed of an increase in the imports and the consumption were fully realized. But it was not, he needed not to remind their Lordships, merely to the import of the particular articles that they were to look for the effect of the reductions that had taken place; for though the import of any given article might not, at any particular time, have materially increased, still the stimulus which was given to trade by the impetus afforded by a reduction of duty in some one particular branch of industry, produced a movement through the whole, the effect of which was shown on the general exports and imports of the country. Accordingly, their Lordships would find, on looking at the account of the imports for the last four years, that there had been a very large increase in their official value. The official value of the imports, exclusive of corn, amounted—

In 1841	...	£59,000,000
1842	...	59,000,000
1843	...	68,000,000
1844	...	71,000,000
1845	...	82,000,000

The same effect was observable under perhaps the most important head, viz., the exports. The total real or declared value of British and Irish manufactured articles in the same period, according to the same returns, was—

In 1840	...	£51,000,000
1841	...	51,600,000
1842	...	47,300,000
1843	...	52,000,000
1844	...	58,000,000
1845	...	60,000,000

showing an increase since 1841 from 51,000,000 to 60,000,000 in 1845. As far, therefore, as regarded the imports and exports of the country, there was undoubted proof that the reduction of the duties upon the various articles included in the Tariff, had been attended with the most complete success. The effect on the revenue—not on the general revenue, but on the particular revenue derived from these articles—was not less striking. In 1842, as their Lordships were aware, there had been reductions made in the customs duties of this country to the extent of 1,338,000*l.* The net produce of the customs duties in that year was 19,643,000*l.*, exclusive of the duty on corn, notwithstanding this reduction. In 1843, there was a further reduction, equivalent to 171,000*l.*, and yet the customs revenue for that year amounted to 20,200,000*l.* In 1844 there was a still further reduction to the extent of 286,000*l.*—and in 1845 a reduction to the extent of 2,418,000*l.*—a total of about 2,700,000*l.*, and yet the customs duties, which amounted in 1844 to 21,000,000*l.*, amounted in 1845 to 19,000,000*l.* This showed that the reduction of duties had not been followed by a corresponding deficiency in the revenue; the actual deficit being only 1,200,000*l.*, whereas the reduction was 2,700,000*l.* The sum of the whole was this: that, whereas in the four years—1842, 1843, 1844, and 1845—there had been reduc-

tions in the customs duties to the amount of 4,214,000*l.*, yet the customs revenue amounted in 1845 to 19,800,000*l.*, whilst in 1842 it amounted to only 19,600,000*l.*; that was to say, that whilst there had been a reduction in the customs duties of 4,200,000*l.* in four years, the customs revenue was larger in the last of those four years than in the first by 200,000*l.* No stronger proof could be afforded that the reduction of duties, while it increased the imports and exports of the country, decreased in no material respect the particular revenue arising from those articles on which revenue was raised. He (the Earl of Dalhousie) did not wish for a moment to lead their Lordships to suppose that he wished to represent that the whole of the increase in the customs revenue was traceable to the reductions which had been made in the customs duties—very far from it: but what he had a right to contend for was, that the anticipations expressed that the reduction of the customs duties would not only be injurious to the community but to the revenue, were completely contradicted by these figures, inasmuch as they showed that the customs revenue had increased by 200,000*l.*; and if that improvement were not to be attributed to the reduction of the customs duties, it must be owing to the improved condition of the people. Thus he had the fact that the reduction of the duties had not diminished the revenue, and had not been attended with those injurious effects on the population which by some had been prognosticated. He was aware that much of this prosperity might be attributed to favourable circumstances in reference to the bountiful harvests with which it had pleased Providence to bless this country. He was ready to admit that; but, nevertheless, their Lordships would recollect other times, when harvests had been equally bountiful, and when the same effects had not been shown on the customs revenue. So, while he admitted that the bounty of Providence in bestowing fruitful and abundant harvests had had some effect, he was not prepared to admit that to that circumstance was to be assigned the entire result. He was entitled likewise to attribute the increase in the customs revenue to the reduction of the duties on raw materials, reducing the price of articles to the consumer, and leading not only to the increased consumption of the particular articles with respect to which the reduction of duty was effected, but also of other articles connected with them. He had now given their Lordships very shortly an outline of the effect of the reduction of duties during the last four years; and it was on a review of these facts—it was from observing that the anticipations entertained with respect to the effect of reductions of the customs duties on the trade and prosperity of the community had been realized, that it was resolved, on the part of the Government, to submit to their Lordships a still further reduction. Accordingly, Her Majesty was advised to suggest from the Throne whether it would not, looking to the history of the past, be desirable that their Lordships should consider whether a further removal of prohibitory and restrictive duties might not be advisable. The Tariff which he now had the honour of presenting to their Lordships comprehended very many articles, and proceeded in the same direction as the Tariffs of preceding years; it was regulated by the same principle, but in a different degree. By the 4th Clause of the Bill, it was proposed that the duties should be removed entirely from all articles of food of first necessity, whether they consisted of live animals, or of meat fresh or preserved, or meat in any shape that could be called an article of necessity. In conformity with this principle, actuated by the desire to do strict justice, and in consideration of the other measure, to the principle of which their Lordships had given their assent on a previous evening, it was felt by Her Majesty's Government that they could not, upon any principle of justice or good faith, keep up a protecting duty upon any articles of manufactures which came under the same category—on woollens, on linens, and on cottons—with the exception of those articles which were made up for the purposes of luxury less than for those of general use and necessity. The duty was, therefore, proposed to be removed from all articles manufactured from woollens, cottons, and linens, in the mass, except those articles which were manufactured for luxury, such as damask table-cloths and cambrics, and others of a like nature, on which a certain amount of duty was still to be retained. He held in his hand a return of the value of the several articles of cotton, woollen, and linen entered for home consumption in the last year. It appeared that the value of the articles made from cotton was 39,100*l.*, while the amount proposed to be repealed upon these articles was 35,000*l.*, leaving

only a duty upon 3,600*l.* to be levied. Again, upon woollens the value of the imported articles manufactured abroad was 162,000*l.*, and it was proposed to reduce the duty upon 158,000*l.* of these; consequently the value of the articles on which the duty was to be retained was about 3,000*l.* There was some difficulty in regard to linens, as one portion of the articles made of it were taken by value, and another by measurement; but it appeared that the value was 12,453*l.*; the value of those upon which it was proposed to reduce the duty was 9,900*l.*, being cambrics, French lawns, embroidered handkerchiefs, damasks, diapers, &c., all purely articles of luxury, and not of necessity to the great body of the people. He was anxious to make this statement, because at the outset the Government had been met with the objection that inasmuch as the measure was a free-trade measure, the principle of exception, as applied to any article, was one of injustice : and that the whole duty should under such circumstances, be removed, or otherwise not removed at all. But in point of fact, with respect to those articles of linen on which the duty was retained, they were purely articles of luxury; and with regard to those which were composed of linen and woollen, they were principally made-up articles, such as shirts and other matters of that kind, which gave employment to the poor when made in this country; and in justice to them the duty on these articles should be retained. The next article on which the duty was to be removed was silk; but as his noble Friend near him had given notice of a Motion on that subject on going into Committee, he (the Earl of Dalhousie) should not detain their Lordships by dwelling on it then. He should merely state the single fact that, whereas the duty upon that article now professed to be 30 per cent upon the value, in consequence of the alterations in value which had taken place since 1826—the period of the last regulation of the Tariff as respected it—the duty had practically increased, so as to be now in effect 100, 150, and even 200 per cent. In the Tariff now proposed, the whole was calculated at a uniform duty of 15 per cent upon the article. In like manner, in respect to articles manufactured of metal, brass, iron, steel, lead, tin, &c., the principle of the duty in 1842 was 20 per cent upon them ; but it was now proposed to reduce it to 10 per cent. The ruling figure of the Tariff now proposed was 10 per cent upon manufactured articles, whereas that of 1842 was 20 per cent. There were two other articles of consumption upon which the duty was now proposed to be altered, namely, butter and cheese. In 1842 these articles had not been touched purely upon consideration of revenue, because both produced large sums to the public. But when it was proposed to reduce the duty generally upon food and clothing of all kinds, it would be at once inconsistent and unjust to omit them for that reason from the reduction. When their Lordships came to the Committee he would be prepared to state the case at large; but he believed that the quantity of these articles introduced into this country from abroad, as compared with the produce of England and Ireland, would be found to be very insignificant, and that the price of the articles depended not upon the amount of the duty, but upon the particular demand for them in certain places. The other articles which it was proposed to deal with were brandies and generally foreign spirits. The duty upon them at present was 22*s.* 6*d.* the gallon. It was well known to their Lordships that in spite of all the exertions of the Custom-house, the quantity of these articles brought into the country surreptitiously was extremely large. The Government were of opinion that the duty of 22*s.* 6*d.* was a far higher duty than the article would bear, without fostering smuggling. The Government did not anticipate, by the reduction they proposed, any very general increase of consumption. But their object was to defeat the operations of the smuggler, and only to impose such a duty as would not make it worth his while to carry on the illicit trade ; so that the article when imported, would be sent through the Custom-house, and a demoralizing and irregular trade extinguished. The last article to which he should refer was one, the reduction of which was only prospective — namely, timber. In 1842 a reduction had been made in the duty upon colonial timber to 1*s.*—a nominal amount; while upon foreign timber it had been reduced, in 1843, from 55*s.* to 25*s.* The return which he had already alluded to showed the effect of the reduction upon the imports of articles in the periods that had intervened. Between 1840 and 1842 the customs duties on timber were computed on a different principle to what they were subsequently. In 1842, under the new system, they were taken by measurement. These were the returns as regarded

Foreign Deals and Battens.

	Loads.
1843	229,000
1844	321,000
1845	342,000

Hewn Foreign Timber.

1843	121,000
1844	202,000
1845	282,000

Simultaneously, too, with the increase in the consumption of foreign timber there had been a large increase in the consumption of colonial timber.

Colonial Timber, Deals, Battens, &c.

1843	347,000
1844	398,000
1845	408,000

Ditto Measurement.

1843	605,000
1844	601,000
1845	796,000

The statement of prices made up to the end of last year showed that the consumer had got the full benefit of the reduction which had taken place in the duties upon both descriptions of timber. The prices were—

Yellow Canadian.

1842	...	from	£3	5	0	to	£3	15	0
1843	...	"	2	9	15	"	3	5	0
1844	...	"	2	15	0	"	3	5	0
1845	...	"	2	15	0	"	3	5	0

Baltic.

1842	...	"	5	5	0	"	5	5	0
1843	...	"	5	0	0	"	5	5	0
1844	...	"	4	0	0	"	4	5	0
1845	...	"	3	15	0	"	4	5	0

It ranged on Jan. 6, 1846, from 4*l.* 7*s.* 6*d.* to 4*l.* 12*s.* 6*d.* The Paper from which he quoted was, "Return of the House of Commons," No. 175, for this year; and it completely bore him out in the statement which he had made, that the benefit of the reduction was felt by the consumer during the greater part of that period. Since last year, however, that benefit was not so apparent, because the enormous demand for timber, colonial and foreign, for railways and public edifices, prevented the decline in prices. On these grounds it was that Her Majesty's Ministers proposed further to reduce the duty on foreign timber by a gradual process—namely, on the 5th of April, 1847, from its present figure 25*s.* to 20*s.*; and on the 5th of April, 1848, from 20*s.* to 15*s.*; leaving colonial timber as it stood, at a nominal duty of 1*s.* These were the principal articles to which he felt bound to direct their Lordships' attention as regarded the details of the measure proposed for their consideration; but he wished also to direct it for a moment to the principles involved in the Bill. It had been stated by a noble Lord on the first reading of the Bill that it left many things undone; and that it was, as a measure of free trade, therefore inconsistent. Now, he (the Earl of Dalhousie) altogether and totally denied and disclaimed the character thus attempted to be given to the measure. Its principle was not free trade, but the reduction of protecting duties and the removal of those which were prohibitory. He did not attempt to deny that there were many anomalous parts in the Bill; but he submitted it solely as a measure for the reduction of protection and the removal of prohibition, not as a free-trade measure. The Government, of course, reserved to themselves the right of carrying on still further the reduction which they proposed in protective duties; but, at the same time, he was bound to add, it would be done cautiously, tenderly, and not without reference to the interests which had grown up under protection in particular cases, and, above all, not without reference to considerations of the revenue of the country. He, therefore, commended the measure to their Lordships, not under the nickname which had been bestowed upon it—namely, a free-trade measure, but as what it really and truly was, a measure for the removal of prohibitory and the reduction of protective duties; and he saw no reason whatever why, in that character, it should not receive their Lordships' sanction and support.

The Duke of RICHMOND moved, as an Amendment, that the Bill be read a second time that day six months, upon the very ground upon which it had been recommended to their Lordships' notice—namely the removal of protective duties. In the first place, however, he should complain of the course taken by his noble Friend in proposing it to their Lordships. His noble Friend stated that the measure he proposed came before them recommended by the Crown. He denied that, and said it was unconstitutional, and contrary to their Lordships' privileges, that Her Majesty's name should be used as in favour of or against any measure before

their Lordships. The Queen's Speech recommended this measure, but that was the Speech of the Ministers.

The EARL of DALHOUSIE said, he did not make use of the words "recommended by the Crown," in his address to their Lordships; and he begged of the noble Duke not to misapprehend his statements. What he did say was, that, acting on their experience of the past, the responsible advisers of the Crown had recommended Her Majesty to suggest the measure in the Speech from the Throne. He had never said anything which could be construed into a statement that such was the opinion of the Crown; only that it had been recommended by Her Majesty's Ministers.

The DUKE of RICHMOND was glad to hear his noble Friend's explanation, and to find that he agreed with him that no measure ought to be urged on the adoption of Parliament, simply on the ground that it had been recommended by the Crown. But he wished also to observe that his noble Friend, in laying before them the returns of exports and imports, had omitted to tell them, as he did in 1842, the value of the articles at the present moment on which he proposed to reduce the duty. He saw that by this Bill they were going to reduce the duty on butter and cheese. He had always thought it was a principle with Chancellors of the Exchequer not to reduce duties which were increasing duties. Now he believed it would be found that both these duties were increasing; and it appeared to him, therefore, there could be no reason whatever for reducing them, except hostility to the agricultural interests. His noble Friend told them that he retained the duty on manufactured cotton goods. Now, he must say, that this was treating the cotton manufacturers extremely ill. Their Lordships would remember that within the last fortnight his noble Friend had told them that the manufacturers required no protection at all—that they could make up any disadvantage by their industry, skill, and Heaven knew what besides; and that they were anxious to be rid of all protection. He (the Duke of Richmond) could not see why cotton dresses should not be imported free into this country as well as corn, and why the farmer's and labourer's wife should not have a cheap dress as well as the manufacturer and the operative cheap corn. But his objection for taking off protective duties was, that they would thereby substitute foreign labour for their own. Would his noble Friend tell them what the effect of this measure had already been on the wages of the paper-stainers? Their Lordships were aware that foreign paper could now come in in anticipation of the passing of this measure. He understood that before this measure was proposed the paper-stainers were earning about 2*l.* 10*s.* per week, which was not too high, considering the rent they had to pay, and the price they had to give for water and other necessaries which they required quite as much as cheap bread; for while there was much talk about "cheap bread," the labourers and workmen in our large towns were greatly in want of cheap water; and monstrous good care was taken by levying an excise duty upon malt, that they did not get anything better. The paper-stainers, while receiving the wages he had mentioned, worked only four days in the week; but since the proposition to reduce the duty on foreign paper, they had been compelled to work six days a week, while their wages had been reduced to 30*s.* a week. His real objection to all these free-trade measures was, that they must have this effect—to reduce the wages of our own artisans and labourers. His noble Friend (the Earl of Dalhousie) had characterized damask and some other articles as luxuries, and had said that on that account it was not deemed advisable to reduce the duties upon them. He (the Duke of Richmond) had not the least wish to lower these protective duties; he was for keeping up every one of them. He wished the cotton manufacturing labourers to be protected as well as the farmers. But, as his noble Friend had characterized the articles to which he referred as luxuries, he (the Duke of Richmond) must beg to ask why the duty upon carriages had been reduced? Was not a carriage a luxury? Was not silk a luxury? He complained that the proposers of these free-trade measures did not carry out their principles. They reduced the duty on some luxuries, that the Minister's wife might go to Court in a very fine gown and in an elegant carriage; while they retained the duty on other luxuries. He believed that the persons employed by the coach-manufacturers of this country would suffer very materially from the reduction of duty on foreign carriages. Again, his noble Friend was going to reduce the duties on spirits. Now his noble Friend had attempted to show, with respect to all other articles, that a reduction of duties had been compensated for by

increased consumption; but when he came to spirits he stood steady, and said the reduction of duty on spirits would not increase the consumption. He was sorry the right rev. prelate (the Bishop of Norwich), who had presented so many petitions against the consumption of spirits on the Sabbath, was not then present, that he might protest against the increased facilities which this Bill would give to spirit-drinking. As to the plea of preventing smuggling, he was convinced that if the Custom-house officers did their duty, they were well able to prevent smuggling; and it would be readily admitted that there was much less smuggling in this country now than formerly. He would not say whether a great quantity of silks might not have been smuggled by some large houses in the metropolis; but, as a resident in a maritime county, he would venture to say that smuggling was not now carried on to one-quarter the extent it was thirty years ago. After the decision their Lordships had come to the other evening, he (the Duke of Richmond) felt it was of very little use to trouble them at any length upon this question, for he well knew what their decision would be. He would, however, move, that this Bill be read a second time that day six months; and he protested against it, as having a tendency to decrease the wages of employment of the working classes of this country.

The EARL of WICKLOW said, he thought there was great injustice in the anomalous and inconsistent manner in which the Government were attempting to carry out their principles in this measure. If the Government had proposed a measure of this kind which put all classes on an equality, he would have been one of the first to support it; but he thought in the whole course of their proceedings in this as well as in the great measure they discussed the other night, they had acted on a system of injustice which ought not to be allowed in this country. His noble Friend (the Earl of Dalhousie) said, that he expected a great increase of revenue from the reduction of duties, and this might be a very good reason for reducing duties; but his noble Friend was going by his Bill to abolish several duties, by which means he must abolish the revenue derived from them altogether. In glancing over the Tariff he found there were forty-eight articles on which the duties were abolished altogether, and he found that twenty-two of these were duties in favour of agriculture. His noble Friend had alluded to the reduction of duty on linen, as affording some compensation; but his noble Friend must have forgotten that if this would not prejudicially affect the English agriculturist, it would very seriously affect the agricultural population in the most prosperous and peaceable part of Ireland. Believing, therefore, that the application of the principles of the Government in this measure were unequal and unjust, he felt it his duty to protest against it.

EARL GREY said, that to a considerable extent he concurred in the opinions just expressed by his noble Friend (Earl of Wicklow). He was bound to say that, looking at the Bill, he could not see any distinct principle fairly and fully carried out. His noble Friend (the Earl of Dalhousie) told them that the principle on which the Government proceeded had been to get rid of prohibitory duties, and to reduce protective duties, and at the same time he told them they considered protective duties to be unsound in principle. Now if this were so, it seemed to him that the proper course for the Government to adopt would be to get rid of them altogether. At least, they should act on one plan or the other. He could understand his noble Friend on the cross benches, who thought everything should be protected, although he (Earl Grey) believed this would soon deprive them of all trade; and, on the other haud, he could understand and agree with those who thought protective duties were altogether wrong; and in that opinion he entirely concurred, for he believed that the utmost possible freedom of exchange among nations, added to their mutual wealth and to the comfort and enjoyment of their people; but he could not understand this half measure of the Government, which was partly in favour of protection and partly against it. The noble Lord had said, however, that the Government reserved to themselves the right of applying this principle gradually, and with due regard to the welfare of existing interests, which had sprung up under the protective system. He (Earl Grey) considered that nothing could be more mischievous and injurious to those interests than the laying down a principle which would ultimately lead to the entire abolition of all protective duties, and yet partially retaining them. Such a system would occasion constant uncertainty and changes. What had been its effect already? They commenced the reduction of duties in 1842, when the Government declared that 20 per cent should

be the maximum amount of our protective duties. In three years afterwards they found this would not do, and they came down to 15 and 10 per cent; and if the Government continued in office a few years longer they would say 10 per cent was too much. These constant alterations were most pernicious to commerce and trade. He looked on this Bill, however, as a most important step in the right direction. He accepted it—not as carrying into effect, as they ought to be carried out, the principles for which he contended; but as a valuable instalment of what those who concurred with him in opinion might expect to gain; and with this view he would give the measure his hearty support.

Lord ASHBURTON was understood to say that he objected to this Bill as an unnecessary sacrifice of the revenue and industry of this country. He believed its effect would be to lower wages and to reduce the labourer to a lower scale of life, and that it was a measure founded altogether on mistake and delusion. He agreed with his noble Friend opposite (Earl Grey), that these perpetual changes were pernicious, and all that surprised him was that the energies of this country could survive being thus perpetually tampered with. The cry was one day "protection," and another "free trade;" and no one knew what was next to happen, or what crotchet would next enter the minds of persons at the head of the Government. He totally dissented from the opinion which seemed to be taken up by the Government, that the present prosperous condition of the country was the result of their commercial policy. It was true there was great prosperity at present, and that it had lasted some time; but he defied any man by any process of reasoning to make out that it was at all connected with the alterations we had made in our Tariff, or with the reduction of our duties. Any person acquainted with the course of things in this country for as many years as he had been, must know that the succession of favourable and unfavourable periods had been constant at distinct periods, and he considered that those variations were clearly and distinctly traceable to obvious causes. He would just mention some of them by way of example. The first great distress which he remembered as coming upon the country, was produced by the sudden return to cash payments, which, as they all knew, had been attended with great injustice and suffering. Several years of severe distress followed this rash measure, but at length the elasticity of the commerce and industry of this country overcame it. Hardly, however, had we done so, before we were again plunged into the severest distress by the proceedings of the year 1825, known as the bubble year. At length the country recovered from this also; but in 1837 it was thrown back into the same condition by the state of our commercial relations with America. The same result followed, and the greatest possible distress continued to prevail till 1841, when the change of Administration took place. The years 1841 and 1842 were also periods of distress; but this country, like all others possessing its vigour, skill, and industry, then began to recover, and in 1843 those great improvements took place which had continued down to the present time. If their Lordships looked at the evidence before the Committee which sat to inquire into the burdens on agriculture, they would see this course of events distinctly explained. The Government, however, asserted that the singular prosperity of the country had been occasioned by the alterations and reductions they had made in the Tariff; and they said that this result encouraged them to go still further in the same direction. He (Lord Ashburton) would venture to say that no one, substantially acquainted with the great industrial interests of the country, would support that view. This country had attained to an extraordinary degree of prosperity under a system of protection, and that man must be rash indeed who would make that prosperity an excuse for the present measure. He thought the financial bearing of this measure an important consideration. At present there was no surplus in the Exchequer worth speaking of; and if a reaction came, as in the course of events must naturally happen, having exhausted our fiscal resources, he did not know how we should meet the deficit, after the reductions proposed to be made by the measure before the House. At the present moment, when we were sending out our squadrons, our financial condition was well deserving of attention. He believed that the measures of the Government would be followed by a deterioration in the condition of the labourer, and he therefore disapproved of the present Bill.

Lord MONTEAGLE said, the noble Lord who had just sat down had blamed the adoption of free-trade measures by the Government; but he (Lord Monteagle) remembered when the noble Lord in the

other House had shown himself a strenuous supporter of many of the measures of Mr. Huskisson. He had heard with regret and surprise the opinions expressed by the noble Lord on the currency measure of 1819. Upon that subject the noble Lord had given the weight of his authority to one of the wickedest delusions that had ever been circulated; for it was by the suspension and not by the resumption of cash payments that all the injustice and inconvenience that had taken place had been originated. People who had borrowed money did so on the condition, that after the restoration of the peace their debts would have to be paid in the sterling money of the realm. No injustice to any one was therefore committed, except, perhaps, by postponing to 1819 what ought to have been done at an an earlier period. With respect to the periods of distress which had been alluded to, they had been always connected with deficient harvests. As to the present measure, he looked upon it as a very considerable step in the right direction, and he considered the measures of commercial reform which had taken place as an element in our commercial prosperity. He could not, however, approve indiscriminately of all the changes which had been effected by the present Government. The colonial timber duties had been needlessly sacrificed without effecting any increase in the revenue; and with regard to the sugar duties, the changes effected in them had injured both trade and revenue, and he held it impossible for the Government to persevere in the principles upon which those changes were founded. An importation of 70,000 tons of high-priced sugar had been calculated upon, which would have yielded a revenue of about 1,400,000*l.* But these figures had been so far from being realized, that only 1,500 tons had really been imported; and in place of a revenue of 1,500,000*l.* only 24,000*l.* had been received. Then a reduction of 11*s.* 2*d.* per cwt. had taken place in the duty upon West India sugar, which had entailed upon the country an enormous sacrifice of revenue, without a corresponding benefit to the consumer. The revenue lost about 1,500,000*l.*, being 11*s.* 2*d.* per cwt., and the consumer had only gained 9*d.* per cwt. in the price. Who, then, had benefited by the reduction? He mentioned those things, that they might not be further involved in reductions which injured the revenue while they did not benefit the consumers. One word in defence of the principles of freedom of commerce. When Her Majesty's Government stated on a former occasion that the principles of free trade were the principles of common sense, and that "to buy in the cheapest and sell in the dearest market" was the rule which ought to be pursued by nations as well as by individuals, he hailed the declaration with considerable satisfaction; for he felt it to be impossible that such a declaration could be made without being followed by great and useful results. The measures which the Government had introduced were founded upon these principles, which were those which had been advocated by some of the best and wisest of statesmen in former times—men who were venerated by their Lordships and the whole civilized world. Mr. Pitt had declared that they were the most applicable to countries which, like ours, exchanged their manufactured produce for the raw materials of others. In 1820 the famous London petition in favour of free trade was presented by the noble Lord opposite (Lord Ashburton), and that petition laid down the doctrines of freedom of trade much more absolutely than they were laid down in the Bill before their Lordships' House—nay, as absolutely and boldly as the gentlemen who were considered philosophical writers, and whom noble Lords opposite designated "rash theorists," had laid them down; and his noble Friend, when he presented that petition, supported the doctrines and principles laid down in it. He (Lord Monteagle) did not think that, if this Bill passed, there would be any surplus revenue: exclude the Sycee silver received for the ransom of Canton, and the most they could expect was that the revenue and expenditure should meet. He admitted that the finances of the country were at the present moment on a good footing; but there was no great mystery about that, if they took an income tax of five millions a year, and added it to the ordinary revenue. The change that had taken place was solely attributable to that. In his opinion, it would have been a much wiser measure on the part of the Government if they had made their property tax a perpetual tax, intending to repeal it as soon as the circumstances of the country would enable them to do so, than to have made it only a temporary law, renewing it from time to time; because every time time that they called on Parliament to renew the income tax, they were

expected to give up some indirect tax which was unpopular or inconvenient. The tendency of this system of continuing the income tax for two or three years only, was to go from indirect to direct taxation; and he said most earnestly, that a more dangerous career could not under any circumstances be entered upon. It went upon a false principle, and held out to the mass of the people that the rich and those who were the holders of property had the capacity of paying all the expenses of the State. Now, that was not only dangerous, but entirely false. But, as a further consequence, it led to this fallacy —that the taxation on the rich man and the capitalist could be augmented without indirectly affecting the interest of the poor man also; than which nothing could be more erroneous. In conclusion the noble Lord expressed his warm concurrence in the Bill.

Bill read a second time.

House adjourned.

HOUSE OF LORDS,

Friday, June 5, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Corresponding Societies and Lecture Rooms.

Reported. Viscount Hardinge's Annuity (No. 2).

PETITIONS PRESENTED. By the Bishop of Durham, from Roewen, and other places, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on, the Sabbath.—From Dundee, and several other places, in favour of the Corn Importation Bill and Customs Duties Bill.—By the Bishop of London, from Ministers of Parishes on the Eastern Counties Line, for the Adoption of a Measure to prevent the Running of Trains on the Sabbath.—From Syderstone, Grimstone, and Great Massingham, against Alteration of the Law of Settlement.—By Lord Ashburton and the Duke of Richmond, from Bromptom Abbotts, and Ross, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act, so far as respects the Building and Maintaining County Lunatic Asylums.—From Bangor, and several other places, against the Proposed Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—From the Thetford Auxiliary Religious Tract Society, for Exemption from the Operation of the Charitable Trusts Bill.

RAILWAY TRAVELLING ON SUNDAY.

The BISHOP of LONDON presented a petition from the Clergymen of Parishes on the line of the Eastern Counties Railway against railway travelling on Sunday. The right rev. Prelate stated, that the petition complained heavily of the great number of persons carried along this line on the Sabbath, and instancing Easter Sunday last, when crowds of people were conveyed for the purpose of attending the Newmarket meeting on the following day, on which occasion a dreadful accident occurred on the railway. For some years, when he was minister of a parish in that part of the country, much annoyance was caused by the assembling of people in the immediate nelghbourhood of his church to see the carriages of the great people who passed that way, and who were frequently seen adding to the desecration of the Sabbath of which they were guilty by playing at cards, to the great injury of the feelings of the religiously disposed. By his remonstrances, however, with influential persons, this evil was, in a great measure, removed; but it now seemed to be revived with increased intensity since the establishment of the railway and the running of trains on that day. He hoped their Lordships would interfere to check this evil, and to restrict railway traffic as much as possible to the necessities of commerce.

EARL FITZWILLIAM concurred with the right rev. Prelate in the hope that this evil would be checked. He was aware of the efforts which he had put forth for the suppression of the improper behaviour on Sundays, to which he had alluded, many years ago, and of the success which on that occasion attended his application to a high personage and the members of the Jockey Club for that object; and he thought him entitled to the gratitude of their Lordships for having moved so energetically in the matter. In one thing he differed from the right rev. Prelate. He thought there should be no commercial traffic on railways on Sundays; that there should be no kind of traffic permitted which had gain in view. It might be matter of consideration with their Lordships whether it would be advisable to interfere with railway traffic so far as it related to the conveyance of passengers; but he had no doubt whatever that it was the duty of Parliament to stop all commercial traffic. The necessities of commerce meant nothing more than the necessities of filling our pockets.

The BISHOP of LONDON explained, that the reason why he did not press for the abolition of commercial traffic, to which he was no doubt disposed, was, that a few years ago, when he opposed commercial traffic on Sunday, he was informed by noble Lords that to enforce such a thing would put a stop to the whole trade of the country.

LORD BROUGHAM thought it was impossible to draw a distinction between travelling for gain and merely travelling for recreation.

LORD CAMPBELL was in favour of goods traffic being stopped on Sunday, but

thought allowance ought to be made for the conveyance of passengers.

LORD BROUGHAM had a case in point which had just come to his recollection. The Bank of England was saved from insolvency, after the directors had sat from nine till twelve o'clock on Saturday night waiting for the means of relief, by the arrival of a large amount of money next day, being the Sabbath.

The matter then dropped.

VISCOUNT HARDINGE AND LORD GOUGH'S ANNUITIES BILLS.

The EARL of RIPON, in moving that the House do resolve itself into Committee on Viscount Hardinge's Annuity Bill, briefly explained its provisions, and those of Lord Gough's Annuity Bill. The grounds for the grants it was needless to state after the brilliant services of both noble Lords had been so recently detailed to the House. The chief point to be mentioned was, that on account of the generosity of the East India Company in granting life annuities to them, the Bills provided that the whole of Viscount Hardinge's annuity to be granted by this Bill, and one-half of Lord Gough's, should respectively cease to be payable so long as the annuities granted by the Company to them respectively should be paid.

LORD MONTEAGLE considered these Bills to contain a provision which was unjust and unbecoming, and likely in future to be dangerous to the public service, and detrimental to the public interests; he alluded to the clause just adverted to, suspending the grateful benevolence of the State in consequence of the expressed gratitude of the East India Company. This was teaching the Company a lesson which, as men of sense and discretion, they would doubtless learn—that in satisfying their own feeling of gratitude they were but causing a pitiful saving to the public Exchequer. Would any Minister have proposed to treat Nelson so, because he had been rewarded by the Neapolitan Government with the Dukedom of Bronte? Whatever other noble Lords might feel upon the subject, he (Lord Monteagle) must say that he felt it to be a reproach to the Government thus to curtail and limit their gift, and say that because the Company were liberal and grateful, the liberality and gratitude of the country should be restricted and abridged by that which, in truth, was but an additional proof of the claim of these distinguished men upon the nation.

The DUKE of RICHMOND concurred in what had fallen from the noble Lord, and he trusted that the noble Lord would in Committee give the House an opportunity of recording its vote on the subject. He thought that the proposed proceeding was shabby and mean. He was as anxious as any man to curtail the expenditure of the country as far as possible, but he was not prepared to give his sanction to what he conceived to be wrong in principle and shabby in practice.

The EARL of RIPON was not surprised at the feeling which had been expressed, and certainly no generous man could be suspected of a wish to deprive either Lord Hardinge or Lord Gough of any portion of the rewards which they had earned; but he must take the liberty of saying that the motive of the Government in proposing the limitation was not the mere saving of 3,000*l.* a year in the one case, and 1,000*l.* a year in the other, but was founded upon a fair consideration of what had occurred in former, and might occur in subsequent cases of this description. He was far from intending to disparage the gallant actions which had been performed; but Government were obliged to look at these services not as their feelings might dictate, but from views of what had been done before, and what might be done hereafter.

The MARQUESS of CLANRICARDE agreed with his noble Friend (Lord Monteagle) in thinking that the full amount voted by Parliament ought to be secured to Lord Hardinge and Lord Gough, notwithstanding the grant made by the East India Company. He did not know how far that House might amend a Money Bill, but he hoped that his noble Friend would be able to make some proposition in Committee which would have that effect.

The EARL of WICKLOW thought it would be desirable to postpone the Bill, in order to give the noble Lord (Lord Ripon) an opportunity of producing some precedent for it. He should prefer rejecting it to passing it in its present shape. Such a course would be attended with no inconvenience; for, no doubt, another measure, in conformity with the universal feeling of that House, would then be introduced in the other House, during the present Session.

The EARL of RIPON observed, that there was no necessity to postpone the Bill for the purpose suggested by the noble Earl, because there was no precedent of a Minister of the Crown having called on

Parliament to grant anything to a Governor General of India.

The EARL of GALLOWAY said, that the Sovereign, having conferred dignities and titles on these two distinguished men as a reward for their services, it next became the country to consider what would put them in a position befitting their new rank. But it appeared that the East India Company had already made a grant to them greater than that which the Parliament, according to this Bill, thought necessary for the purpose. Therefore the object in view was attained, and he thought that the course taken by the Government was right and prudent.

The House then resolved into Committee on the Bill.

The DUKE of RICHMOND moved, by way of Amendment, the omission of the third clause, which suspends the grant made by the country during the payment of the grant made by the East India Company.

The EARL of RIPON reminded their Lordships that the omission of the clause would be the loss of the Bill; adding, that the Bill did what the East India Company could not, viz., it continued the grant of 3,000*l.* a-year to the two next heirs of Lord Hardinge.

The DUKE of RICHMOND said, that if the House of Commons considered this a Money Bill, and would not accept it altered, nothing could be more easy than for them to introduce a new Bill immediately. If he were to go out shooting with the noble Earl (Ripon), and were to give his gamekeeper a pound, would the noble Earl deduct that pound from his gamekeeper's wages?

The EARL of RIPON said, that if the noble Duke came to shoot with him, he would take care that he did not give his gamekeeper a pound.

LORD MONTEAGLE supported the Amendment. Supposing that the pension had been granted by Parliament, and that subsequently the East India Company had granted an annuity, would any one then have proposed to bring in a Bill to suspend the payment of the pension?

The EARL of ST. GERMANS held the proposed grant to be for the purpose of maintaining the dignity conferred by the Crown; and if Lords Hardinge and Gough had been men of large property, the Government would not have thought themselves justified in calling on Parliament to make a grant for the maintenance of the titles which were the reward of their services. The object in view, the maintenance of the conferred dignities, was, however, already attained by the grant of the East India Company.

The Committee then divided:—Contents 26; Non-contents 38: Majority for the Amendment 12.

House resumed. Bill reported with Amendments. Report to be considered on Monday next.

House in Committee on Lord Gough's Annuity Bill.

The DUKE of RICHMOND said he did not see any reason for making a distinction between the cases of Viscount Hardinge and Lord Gough; and he would therefore move that the third clause in this Bill, which was to the same effect as that just expunged from Lord Hardinge's Bill, be omitted.

The EARL of RIPON would not give their Lordships the trouble of dividing upon this Amendment; for he could not conceive that they were likely to adopt a different principle with respect to Lord Gough to that which they had just sanctioned in the case of Lord Hardinge.

The CHAIRMAN then put the Question, and declared the "Non-contents" to have it. The clause was therefore omitted.

House resumed. Bill reported.

RAILWAY LEGISLATION.

EARL FITZWILLIAM rose for the purpose of introducing the Resolutions on the subject of railway legislation of which he had given notice. The noble Earl said that their Lordships were aware of the difficulties which had been at an earlier period of the Session anticipated from the number of railway projects which were about to be brought forward, and the means which had been adopted with a view to prevent them. The number of railway companies dissolved, in accordance with the powers which were given to the companies by the measure that Parliament had agreed to, was exceedingly small—so small as to be capable of creating no diminution of the pressure on the money market; and it was therefore to be desired that their Lordships should adopt some other course, calculated to obviate the difficulty which was anticipated. He held in his hand a return of the Bills then in progress, and he found that, if their Lordships should agree to all the Bills which would be brought before them this Session, it would require upwards of 90,000,000*l.* to carry

them into effect. He ought to add that some of those Bills included in that calculation had already passed; but if an allowance of 10,000,000*l.* were made for those, there would remain 80,000,000*l.* of expenditure to carry the others into effect, in case they were agreed to—a sum the payment of which was calculated to produce an important effect on the money market—an effect which their Lordships might judge of, when he informed them that the largest loan ever raised during the war was 45,000,000*l.* in 1815. He had considered the subject, and with a view to suggesting to their Lordships a means of diminishing the evil which such a pressure would produce, he had prepared a series of Resolutions, which he would read to their Lordships. He gave the Government credit for their intention to prevent the evil of a too great pressure on the money market, in the scheme which they proposed at an earlier period of the Session; but that scheme had not been successful in diminishing the number of railway speculations to any extent; and he therefore felt satisfied that if their Lordships now entertained the same opinion with respect to this anticipated evil, which they did last March, they would be disposed to try another experiment with a view to avoiding the difficulty; and he would add, that if any of their Lordships proposed a more efficient means of avoiding the difficulty than he (Earl Fitzwilliam) was about to propose, he was not so wedded to his own plans as not to withdraw those Resolutions if a better experiment were suggested. There was no doubt that railway legislation ought to be regarded and dealt with as a whole system, which, although now in the infancy of its progress, would ultimately become the great means of communication throughout the country. A great misfortune was, that the Railway Bills had up to the present time been dealt with according to an old technicality as Private Bills, whereas it was highly desirable that the whole system of railway legislation should be placed in a connected form before them. In order to obviate the difficulties which it was feared might arise under the present system, he had prepared four Resolutions, which he would read to their Lordships :—

"1. That this House will not pass any Railway Bill, giving Power to raise Capital, either by the Issue of Shares, or by borrowing Money, which has or may come up from the House of Commons this Session, until all such Bills shall have been read a Second Time.

"2. That when all such Bills shall have been read a Second Time, this House will appoint a Select Committee to take them into Consideration, to classify them according to their public Importance, and to select such as it may seem expedient to pass.

"3. That it be an Instruction to the said Committee not to select, for passing, Bills by which it shall be proposed to raise Capital exceeding 60,000,000*l.*, whether by the issue of Shares or borrowing Money."

He would remark with respect to this Resolution, that he would not object to the sum being named as 50,000,000*l.*, if it were thought preferable; but he had been desirous, in framing the Resolution, to give a large margin.

"4. That a Message be sent to the House of Commons requesting a Conference on the Subject of such Railway Bills as have originated in this House, and are now pending in the House of Commons."

The effect of these Resolutions, if agreed to and acted upon, would be to remove much of the evil of too great a pressure, an evil which might be dreaded under the present system. The noble Earl concluded by moving the Resolutions.

The EARL of DALHOUSIE said, that however desirable it might be to narrow the limits of railway enterprise in general, which was the object of the noble Earl, and however ready he (the Earl of Dalhousie) might have been at the commencement of the Session to adopt some resolutions similar to those proposed by the noble Lord, he ventured to represent to the House that, under existing circumstances, and after what had passed both in this and the other House, they could not, consistently with common justice and fairness, adopt the recommendation of the noble Earl. He (Earl of Dalhousie) might be permitted to remind their Lordships of what had taken place in Parliament in the early portion of the Session, with reference to this subject. During the very first days of the Session the question of railway legislation was brought under the consideration of both Houses of Parliament. The vast number of railway schemes projected, and the great amount of capital required to carry them out, were pointed out; and a Committee was appointed to consider the best means of dealing with the subject, which reported to the House. Their Lordships then adopted certain Resolutions; and, with the concurrence of the other House, certain Railway Bills connected with Ireland, and other Bills, the progress of which had been suspended in the last Session, together with new projects connected with them, were to be

originated in their Lordships' House. It had been stated that no specific plan, with reference to this subject, had been submitted by the Government to the Committees of either House of Parliament. He (Earl of Dalhousie) would not occupy their Lordships' time by discussing that question; but he might state that a plan was submitted *in extenso* to their Lordships' Committee on the part of the Government, and received their consideration. At that time the Committee of the other House presented their Report; in which, after stating that there were 562 Railway Bills standing for consideration, and adverting to the arrangements which might be made for their consideration, they proceeded—"Under these circumstances your Committee have not deemed it advisable to recommend to this House to make any selection from, or to place any limitation on, the number of railway schemes to be submitted to the consideration of Parliament during the present Session." Upon this declaration of opinion the inchoate railway companies had proceeded; their Bills had been for five months under consideration in the other House; they had expended immense sums of money; and many of them had attained the object they had in view, and had received the sanction of Parliament to their Bills. The other House of Parliament, which possessed the effective power in these matters, having distinctly declared the opinion he had quoted, and the railway companies having consequently gone on in the prosecution of their several projects, he thought, in common fairness and justice, their Lordships could not now turn round to the House of Commons and say, "True, you said there should be no selection or restriction, yet now we will select and we will restrict." Such a proceeding would really amount, he must say, though he did not wish to use strong terms, to a breach of faith on the part of their Lordships. But their Lordships had afforded to the projectors of these schemes another and another *locus pœnitentiæ*. They had adopted certain sessional orders, which, though they were not intended to stop the progress of railway enterprise, afforded those who were anxious to abandon their projects an opportunity of doing so; and their Lordships had since passed a Bill, which was now in the other House of Parliament, with the same object. It was, therefore, impossible for them to turn round now upon the projectors of these schemes, and to say that they would select and they would restrict. To one of the Resolutions submitted to them by the noble Earl opposite, he (the Earl of Dalhousie) entertained very great objection, namely, to that which recommended that their Lordships should not pass any Railway Bills which proposed to raise an amount exceeding 60,000,000*l.* He stated on the part of the Government at the commencement of the Session, that they were not prepared to say there should be any direct restriction imposed upon railway companies with regard to capital. He objected to this Resolution, on the ground that if they determined they would not sanction any railway scheme for which it was proposed to raise an amount exceeding 60,000,000*l.*, they tacitly admitted that a capital of 60,000,000*l.* might fairly and properly be raised for such a purpose. He thought the House ought to be extremely cautious in dealing with such a question as this, and that an attempt to fix any positive limit of capital with regard to enterprises of this nature would be attended with great danger. There was one remedy in their Lordships' hands for the evils to which the noble Earl opposite referred, if they chose to exert it, in the strict and firm exercise of the power of Committees of that House. If the Committees of that House would do their duty fully, and in investigating these railway enterprises would not merely consider whether there were any fatal objections to Bills, but whether it was necessary under the circumstances of the times that those Bill should be passed, they possessed the means of limiting and diminishing, if not of absolutely preventing the evils to which reference had been made on this and former occasions. He trusted their Lordships would not adopt the Resolutions of the noble Earl.

Lord KINNAIRD concurred with the noble Earl (Earl Dalhousie), that if their Lordships were now to adopt any restrictions with regard to railway projects before Parliament, after what had passed in the Legislature, they would be chargeable with a breach of faith. If the noble Earl (Earl Fitzwilliam) had contented himself with proposing only the first of his four Resolutions, he (Lord Kinnaird) would have felt no objection to it, for it could not have injured any parties now before their Lordships. By limiting the amount of calls, and extending them over a longer space, a great relief would be given to the labour market. The Committee at present had no power of selection; for they felt that if

a railway was not opposed, they had scarcely the right to throw it out. A serious derangement would take place as soon as the great number of Bills now before the House had passed, and the calls began to be made on them.

LORD ASHBURTON said, that in the present position of affairs, he had so strong an objection to almost anything that could be proposed, that he did not see his way clearly enough to support the present Resolutions. If the amount required for the construction of the railways passed this Session, came at all near to that which had had been stated, there could be no doubt it would derange the monetary system, and produce confusion through the country. At the same time, the state of the case ought not to be exaggerated. If the railways passed this Session required a capital of 60,000,000*l.*, it should be remembered that the calls were usually spread over a period of three years, and that only one-third of that amount would be required during the present year. He did not lose sight of the fact that calls would also be made during the present year on behalf of railways which were in the second or third year of their construction; but he could not see in what manner Parliament could again interfere.

The DUKE of WELLINGTON said, that the first Resolution of the noble Lord, to stop the Bills until they reached a certain stage, would have the effect of collecting the Bills in one mass, and passing them at nearly the some time. It would thus create the very inconvenience which the noble Lord wished to avoid. He should like to see the instructions given to the Committee (for he supposed it would be necessary to give them instructions) before he was called upon to judge of the noble Lord's proposition. With respect to the first Resolution, he would again submit to their Lordships that it would collect all the Bills into one mass, and their Lordships would be called upon to pass them at the same moment.

LORD MONTEAGLE said, it was not decent that the House should not take some pains to put railway legislation on a proper footing. Almost all the Bills granted a compulsory power of dealing with landed property; and railway companies, during the period of three years allowed them, took the land or not, just as suited the exigencies of the moment. During this time the owners of land were kept in suspense, while the companies, in military phrase, were only "occupying a position" which they feared the enemy might attain. It was unjust to give companies power over parties to take their land whether they would or not over a period so long as three years; for during that time improvements were stopped, and everything was in a state of suspense. He entreated their Lordships to take some step or other to improve the present system of railway legislation.

The DUKE of RICHMOND thought the thanks of the House were due to his noble Friend (Earl Fitzwilliam) for calling attention to this subject; at the same time he agreed with his noble Friend the President of the Board of Trade, that it was impossible to carry the Resolutions now before the House in justice or fairness after they had suffered matters to go on so long. The House ought to frame resolutions for another Session. Their object was not to stop the construction of proper railways, but to prevent Bills being obtained for branches that were never intended to be made, but which were brought forward to defeat railways that would be more useful to the public. He had been on a Committee where the company sought for powers to take land extending over a period of five years; the Committee, however, had given them only eighteen months. Companies said that the reason why they required so long a term was, that they found it so difficult to deal with landowners. He thought the House ought to limit the power which companies now possessed of borrowing money; that was the way to check some of those reckless schemes. At the present moment it was impossible to attend to the Standing Orders without feeling that they required great revision, and that they ought to be made more clear and decisive. An instance of this had occurred to-day in the operations of what was called Lord Wharncliffe's clause. Their Lordships should also, if possible, come to an arrangement with the House of Commons, so that when Bills had passed the Standing Orders Committee of the other House, they might be immediately brought before the Standing Orders Committee of their Lordships' House. The latter Committee, after a company had spent 8,000*l.* or 10,000., did not like to throw out their Bill upon some technicality. He hoped the present Session would not be allowed to pass over without some arrangement being made for a future Session; but until railway companies were

compelled to conform strictly to the Standing Orders, things would never be put wholly right.

Lord REDESDALE agreed with the noble Duke that some improvement ought to be made in the Standing Orders. Their Lordships ought to insist that a line should be laid down so accurately that the engineers might at once proceed to work upon it, instead of sending in plans so imperfectly prepared that they wanted more time to revise them. He agreed also in the opinion that railway companies ought not to be allowed to borrow any money, and that all their capital should be raised by shares. He thought that some limit upon speculation was desirable; but their Lordships could not interfere again now. There was a great deal of leniency towards companies on the part of the Committees to whom they were referred. The duty of the Committee was to say whether the line before them was the best that could be laid down; and they had a right to call for evidence upon this point. In other countries the selection of the best lines was made by the Government. To say that because parties had spent a great deal of money, their Bill ought to pass, was to offer a temptation to getting up crude schemes. He trusted that Committees would inquire strictly into the merits of every Bill before them.

Earl FITZWILLIAM replied. He concurred in thinking that Committees ought to be more strict, for at present their Lordships took every Bill into consideration, with reference to its own peculiar claims to being passed, without regard to the effect it might produce on the country generally, in consequence of so much capital being employed in one branch of speculation. He would not, however, press the Resolutions.

Motion, by leave, withdrawn.

House adjourned.

HOUSE OF COMMONS,

Friday, June 5, 1846.

Minutes.] Public Bills.—1°. Waste Lands (Ireland); Steam Navigation; Wreck and Salvage.

2°. County Works Presentments (Ireland) Amendment. *Reported.* Ropemakers.

Petitions Presented. By several hon. Members, from various places, complaining of the Refusal of Proprietors of Land to grant Sites in suitable places, or on any Terms, for the Erection of Churches for the Free Church in Scotland.—By Mr. Hawes, from Inhabitants of Sheerness, for the Adoption of Measures for promoting the Due Observance of the Lord's Day.—By Lord C. Manners, from Minister, Churchwardens, and Parishioners of Whitwick, against the Union of the Sees of St. Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. Hawes, from Ratepayers of the Parish of Saint Mary, Lambeth, in Vestry assembled, against the Highways Bill.—By Mr. Fuller, from Ratepayers of the Parish of Froxfield, and from Elected Guardians of the Poor Law Union of Newhaven, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Mr. Bankes, from Bridport, for Inquiry into the Bridport Election.—By Sir John Hanmer, from Kingston-upon-Hull, for Alteration of Law of Rating and Settlement.—By Mr. Marjoribanks, from Watford, for Rating Owners in lieu of Occupiers of Small Tenements.—By Sir Robert Peel, from Trustees of the British Museum, for Aid.—By Mr. T. Duncombe, from Liverpool, against the Deodands Abolition Bill.—By Mr. T. Duncombe, from Dublin, against the Abolition of Guilds.—By several hon. Members, from various places, against the Poor Removal Bill.

POST OFFICE.

Mr. G. BERKELEY wished to put a question to the right hon. Baronet the Home Secretary respecting the puritanical attempt now making in different parts of the country to close the Post Offices on Sunday. The question he wished to put was, whether it was in the power of the Postmaster General to close the Post Office on Sunday, and prevent the delivery of letters on private solicitation?

Sir J. GRAHAM said, that the hon. Member had been obliging enough in the course of that morning to give him notice of the question he was to put on this subject. He had had no opportunity of consulting the Postmaster General since the receipt of the hon. Member's note, but he conceived it was a question of general law which he might answer without consulting the Postmaster General. He believed that the law as it now stood was, that the Postmaster General had power to regulate the hours of delivery on Sunday at the different Post Offices. In the metropolis, as the House was aware, the boxes were open for the receipt of letters, but there was no delivery. In country towns, however, he believed that a delivery did take place at certain hours, though there was no attendance at the office during the time of divine service. He (Sir J. Graham) was not aware there was any intention to change either the law or the practice.

POOR LAW UNION OF CARRICK-MACROSS.

Colonel RAWDON wished to know from the noble Lord the Secretary for Ireland whether any information had been received by the Government respecting alleged misconduct on the part of the officers and others connected with the Poor Law Union of Carrickmacross—whether inquiry

had been made into the circumstances by Government or by the Poor Law Commissioners; if so, the date of such inquiry, and the date when the complaints of the ratepayers and their demands for investigation were received by the Poor Law Commissioners; if any report had been made upon the subject; and if the Government would consent to its production, and to the evidence taken at the investigation, together with copies of the correspondence which led to, and which related to, such investigation?

The EARL of LINCOLN replied, that the Government had received information from the Poor Law Commissioners of the circumstances to which the hon. Member referred—that inquiry had been made into the circumstances, not by the Government, but by the Poor Law Commissioners—that Mr. Symons, the Assistant Poor Law Commissioner, had been instructed to make the inquiry on the 9th of May last—that he proceeded to make the inquiry on the 19th, and reported on the 25th—that the Poor Law Commissioners had received the complaint of the ratepayers on the 1st of April—that some correspondence took place between them and the Poor Law Commissioners in the interval between that and the 16th or 17th—that on the 18th the Commissioners referred the case to an eminent counsel for his opinion, and this opinion they did not receive till the 9th of May, when they immediately ordered an inquiry. He (Lord Lincoln) had no objection to produce, not only the report and evidence, but the whole correspondence, which should all be laid on the Table as soon as possible.

POOR REMOVAL BILL.

SIR J. GRAHAM moved the Order of the Day for Committee on the Poor Removal Bill.

MR. J. E. DENISON rose to move an Instruction to the Committee to make provision for the establishment of union settlements; and was proceeding to state his reasons for asking the consent of the House to the proposition, when

MR. T. DUNCOMBE rose to order. He had always understood that it was a rule of the House, that it was not competent for any Member to move an instruction to a Committee when the object in view could be gained in Committee, which he thought was the case in this instance. The question of the hon. Member could be raised in Committee, both as to the title and provisions of the Bill. The Bill was entitled "A Bill to consolidate and amend the Laws relating to the Removal of the Poor." It proposed to repeal certain former Acts relating to the removal of the poor; and by the sixth Clause it was proposed to be enacted that every person who had become chargeable to any parish or union in which he was not settled should be liable to be removed therefrom to any parish in which he was settled; so that there would be ample opportunity for discussing the point the hon. Member for Malton had in view. If it was necessary to move an instruction to the Committee on the point the hon. Member was going to urge, they would never have a single Bill without an instruction being moved from that day forward.

MR. SPEAKER: The hon. Member for Finsbury has quite correctly stated the practice of the House, that it is not competent for a Member to move an instruction to a Committee when it is competent for the Committee itself to entertain his Motion; but I am of opinion that, in the present case, it is necessary for the hon. Member for Malton to move his instruction in order to enable the Committee to entertain the subject.

MR. BANKES would not venture to offer any observation upon the point which had just been raised after what had fallen from the Chair; but, in another respect, he ventured to object to the hon. Member for Malton having precedence on the present occasion. It would be in the recollection of the House that it was distinctly understood, when they allowed the Bill to be read a second time without discussion, that at the present stage of the Bill there should be a discussion on the whole principle of the Bill; and, undoubtedly, if they allowed the present opportunity to pass, another might not arise. If the hon. Member for Malton succeeded in his Motion, the opportunity of discussing the principle might be lost. Waving, therefore, for a moment, the point raised by the hon. Member for Finsbury, he submitted whether he ought not to have, on the ground he had already stated, precedence over the hon. Member for Malton. His right hon. Friend the Home Secretary would, he was sure, bear him out, that when they last parted, it was distinctly understood that an opportunity was to be afforded for making observations on the principle of the Bill. It was upon that understanding that the Bill had been allowed to reach its present stage.

Sir J. GRAHAM said, nothing could be more accurate than the statement of his hon. Friend, that the second reading had been allowed to pass without discussion, on the distinct understanding that it would be open to any hon. Member to discuss the principle at the next stage of the Bill. With respect to the point raised by the hon. Member for Finsbury, he begged to remind the House, that as the Bill now stood, its principle was strictly limited to the removal of poor settled in England. The hon. Member for Malton, however, was anxious to introduce into the Bill another most important principle, one immediately connected with the removal of the poor—namely, an alteration to a limited extent of the law of settlement. After what had fallen from the Speaker, it was not for him to offer any observation on the right of the hon. Member to move that instruction; but he thought it would be better that the hon. Member should proceed now, because, if he succeeded in obtaining the assent of the House to his proposed instruction, it would be in vain to discuss the measure as it now stood—the whole Bill must be remodelled, and he should have to ask the House to go into Committee *pro formâ*, in order that the Bill might be altered in some most important particulars.

Mr. HENLEY said, this case afforded another proof of the inconvenience of allowing the second readings of Bills to pass *sub silentio ;* for, if the hon. Member for Malton succeeded, the time would be gone by for any discussion on the principle of the Bill. He was surprised to hear the right hon. Baronet say that the law of settlement was not included in this Bill. To say so was really to throw dust in the eyes of the public. Why, it would much better have been called a Settlement Bill than a Removal Bill. He repeated that, in common fairness, there ought to be a discussion on the principle of the Bill.

Mr. DUNCOMBE asked whether, if the object of this Bill was to prevent the removal, under certain conditions, of persons who had a settlement elsewhere, such a provision did not, in fact, raise the question of the law of settlement ?

Sir J. GRAHAM was understood to say, that although the Bill provided that a person, after a five years' residence, should not be removable, yet that provision did not touch the settlement of such a party in the least degree. A party so non-removable still retained his settlement, which was not affected.

Lord J. RUSSELL agreed with the hon. Member for Oxfordshire that it was more convenient in general to discuss the principle of a Bill on the second reading, and reserve for the next stage the questions properly belonging to it. But he did not see that the hon. Member would now be precluded from making any objection to the Bill which he might think proper. The right hon. Baronet said if the instruction were carried, the Bill would have to be remodelled, and it would then be a comparatively new Bill. If the hon. Member for Malton should fail, however, it would then be quite competent to the hon. Member for Oxfordshire to take an opportunity of obtaining a night for the discussion of the general principle of the Bill.

Mr. J. E. DENISON was most anxious in every way to consult the convenience of the House; and he had only given his notice in accordance with the advice of the Speaker. He begged altogether to disclaim any intention of getting rid of this measure by his proposed instruction, as had been suggested by his hon. Friend the Member for Finsbury. Nothing could be further from his thoughts, as he was most anxious for the success of the measure, if accompanied by certain modifications, without which it appeared to him not to deserve the support of the House. He thought that it would be more convenient for the House to discuss his Motion before discussing the principle of the Bill, because, as the right hon. Baronet had told them, if the instructions were agreed to, the Bill would have to be remodelled, and the previous discussion of the principle would then have been a waste of time. He would, therefore, with the leave of the House, proceed. In the first place, some confusion arose from the title of the Bill. It professed to be a Bill for the removal of the poor; yet its first principle, they were told, was non-removability—a word not known to the English language, and which he hoped he would not have occasion to use a second time in that House. It was also said to be a Bill which did not affect the law of settlement, but it certainly did incidentally affect all who paid and who received poor-rates. It was introduced as a measure which was to be serviceable to the country districts, as regarded great towns. It was introduced at the same time as the Corn Bill, and was received with much approbation by hon. Members who sat on the Government side of the House. Now, as to this question between the town and coun-

try districts, he proposed to raise no discussion; but as between different districts and parishes of the country, it did appear to him that the measure would work very great injustice. This was the subject he wished more especially to bring under the notice of the House. What were some of the chief evils under which the labouring poor now suffered? Bad cottages and too few of them. Many people were crowded together in rooms too small, and too often in single rooms, to the utter destruction of health and morals. The same evils had been brought under the notice of Parliament by Lord Ashley, as existing in the great towns of the manufacturing districts. That noble Lord said, that the state of the labouring population in those towns was the monster evil of this country. Would that the same reproach could not be cast on the rural districts, as regarded the condition of the labouring poor! It was in vain to take steps to ameliorate the condition of the people, it was in vain to vote money for their education and improvement, to build school-houses and appoint schoolmasters, if the scholar on his return home each day saw examples stronger than any precept, and far opposed to the instruction he had just received as to order, cleanliness, and morality. But the House had higher authority than his for those statements: they had the authority of their own Commission, to which they would naturally be disposed to pay attention and respect. A Commission was appointed to inquire into the employment of women and children in the agricultural districts in 1843, and he would read a few extracts from their Report and evidence. With reference to the state of the people in Wilts, Dorset, Devon, and Somerset, they said—

"It is impossible not to be struck, in visiting the dwellings of the agricultural labourers, with the general want of new cottages, notwithstanding the universal increase of population. Everywhere the cottages are old, and frequently in a state of decay, and are consequently ill-adapted for their increased number of inmates of late years. The want of sufficient accommodation seems universal; a great many cottages have only one bed-room; the consequence is that it is extremely difficult, if not impossible, to divide a family so that grown-up persons of different sexes do not sleep in the same room; three or four persons frequently sleep in the same bed."

The next passage of the evidence was one to which he would pray the most particular attention of the House, for it was of the very greatest importance:—

"The want of proper accommodation exists in the large villages rather than in detached cottages on the farms; the more immoral women come from these villages; the steady and better are from the detached cottages."

The Rev. J. Guthrie expressly says—

"The want of good cottages, where the members of a family can live separate, is a great cause of demoralization: where grown-up members of the same family are continually occupying the same room, modesty and delicacy and sense of shame are soon put to flight; where these are absent, and dirt and disorder take their place, a gradual declension in good morals and character succeeds, and the whole family sink perceptibly to a lower grade in character and conduct."

Mr. H. Phelps, contrasting two districts of Studley and Foxton, says—

"In Studley I found twenty-nine people living under one roof, amongst them married men and women, and young people of nearly all ages. In Studley it is common for a whole family to sleep in the same room. In Foxton things are different. The people in Foxton are much more moral, orderly, and better disposed. The wages are the same, and the employment the same. I attribute the difference to the circumstance of each family in Foxton occupying a separate tenement, with sufficient accommodation, while this is hardly ever the case in Studley."

He would only trouble the House with one more extract respecting the working of the gang system. The example was from the county of Norfolk:—

"Castle Acre is what is called an open parish—that is, in the hands of a considerable number of proprietors, while the neighbouring parishes are each owned by one or two (or very few) proprietors. These last, partly in order to prevent an increase of birth settlement, and to keep down the rates, partly from an unwillingness to invest money in cottage property, not only allow no new cottages to be built, but let the old ones fall into ruin. The resident population of these parishes is thereby gradually reduced, as the labourers are forced to quit them and come to reside in Castle Acre. Thus, while in the adjoining parishes there are not hands enough left to cultivate the soil, Castle Acre is overstocked with inhabitants that do not properly belong to it, and who are, generally speaking, the worst characters of the parishes from whence they come. The competition caused by the new comers raises the house-rent throughout the parish; and as they are at the mercy of those who have land at Castle Acre, they are forced to pay exorbitant rents for very wretched dwellings. Forty-nine labourers' families belong to Castle Acre, 103 families belong to other parishes. Suppose a farmer in or near Castle Acre wishes to have a particular piece of work done which will demand a number of hands, he applies to a gang master at Castle Acre, who contracts to do the work and furnish the labour. He accordingly gets together as many hands as he thinks sufficient, and sends them in a gang to their place of work. If the work, as usually happens, is such that it can be done by women and children as well as men, the gang is in that case composed of persons of both sexes and of all ages. The system is essentially bad, productive of immorality, and attended with much hardship. The poor man, under the gang master,

works as hard as if he was doing piecework, but gets only day wages. Those who first, unintentionally and unknowingly caused the mischief, can alone cure it—I mean the neighbouring landowners. If these 103 stranger families, who now swell the amount of crime and misery at Castle Acre, were living in their own parishes, subject to the control of their landlords, aided by their care and kindness, guided by their example, benefited by that chance contact with persons of birth, education, and station, which indirectly tend to civilize; influenced, too, by that sense of shame which keeps many a man straight at home who, in a far country, would be a prodigal, Castle Acre would not be reproached as 'the cross of all the scrapings of the county,' and it would no longer be what it now is, the most miserable rural parish I ever saw anywhere."

A system most prejudicial to the labourer prevailed in some parts of Yorkshire, and particularly near the town he represented. In the large parishes in the Wolds, the cottages were so much destroyed, that the labourers are obliged to resort to the small towns for shelter along with their wives and families. The farmer, however, who required his labourer near at hand, said that it would be too inconvenient to permit him to live a great way off, and so put him into some stable or loft to sleep for five nights in the week, while he paid his wages partly in money and partly in food. The consequence was, that the man was separated from his family, and those wages which would support him and them in comparative comfort, if living together, proved very inadequate to their maintenance when separated. From that system he was convinced that evils of the most grave and serious nature arose —evils which would be aggravated in every way by the present Bill; which seemed to him calculated to extend them to a most alarming degree. But some might say, his objection only applied to a few cases; that the close parishes, in the hands of one or two proprietors, were few in number. If indeed the proportion of close to open parishes were very small, the matter might not be worth consideration; but it so happened that he had taken the trouble to inquire into this point, and he found that the close parishes and the open parishes, taking the country through, were nearly equal. Thus there were in Southwell Union, 60 parishes; 28 close, 32 open. Loughborough Union, 23 parishes; 12 close, 11 open. Shardlow Union, 46 parishes; 23 close, 23 open. Basford Union, 43 parishes; 21 close, 20 open, two doubtful. Malton Union, 68 parishes; 31 close, 37 open; Norfolk (Tunstead and Happing, Hundred), 41 parishes; 20 close or nearly so, 21 open. The result, then, of his inquiries proved, that the two classes of parishes were about equal, and the effect would be that one half the parishes would have to support the poor of the other half, who would be entirely thrown on them for maintenance. In looking for a remedy to these evils, it occurred to him that a change from a parish to a union settlement would be the most effectual and most advantageous—such a change would remove the main inducement to pull down cottages, and would rather have a tendency the contrary way; because if the landed proprietor were compelled to support the poor and destitute of the union, whether they resided in his parish or in an adjoining one, it was manifest that his interest would induce him to take advantage of their labour and strength in their better days, and provide residences for them in his immediate neighbourhood, that he might have the value of their labour. It struck him that the measure recently under consideration to repeal the Corn Laws would have no unimportant effect on this question. They were told that the change in the law would waken a thousand farmers from their sleep. When those farmers had aroused them from their slumbers, they would see that the first thing which demanded their attention was the question of labour, and the condition of the labourer: they would find that he often had to walk four or five miles to his work in the morning, and return as many every night; though any practical man among them would know that the profitable cultivation of his land would be impossible if his stables were four or five miles off, and if his cart horses were to go and come all that distance to and from their work. Could they expect to withdraw from men a degree of labour which they knew was impossible to be obtained from horses? Many farmers, he believed, in making arrangements with their landlords, would prefer having cottages built for their labourers to the diminution of rents. He believed if the Bill were to pass, and these resolutions received the favourable consideration of the House, the antagonist principles which now prevailed between interest and duty would be happily reconciled, and the landlord would no longer have any inducement to get rid of the labouring man. So far from that being the case, an opposite tendency would be produced, most useful to the labourer, and advantageous to the cultivators of land. It would be objected to his resolution, he knew, that to adopt it would involve an interference with the old parochial

system. Now, for the ancient principles of our institutions—for anything which produced feelings of contentment and good will between the employer and the employed—he entertained the highest and most sincere respect; but if the House were to consider the difference which existed between the state of things in the present day, and those which prevailed when the parochial system was established, he thought they would see that it was pushing our respect for antiquity to an extreme limit, to refuse under such altered circumstances a consideration of his proposal, and to insist on maintaining things as they are, merely because they have long so existed. Let them look to the preamble of 13 and 14 Chas. II., cap. 12, which established the parochial system, and they would find the following words:—

"Whereas, by reason of some defects in the law, poor people are not restrained from going from one parish to another, and therefore do endeavour to settle themselves in those parishes where there is the best stock, the largest commons or wastes to build cottages, and the most wood for them to burn and destroy; and when they have consumed it, then to another parish, and at last become rogues and vagabonds, to the great discouragement of parishes to provide stocks, where it is liable to be discovered by strangers."

It was then, the principle of law that labourers should be confined to their particular districts; but at present it was desirable to provide for the free circulation of labour, so as to equalize as much as possible the demand with the supply. There was generally a redundancy of labour in the agricultural districts, whilst it was deficient in the towns; and it would be carrying respect for ancient systems very far indeed if we were to keep up the parochial establishment which interfered with the distribution of labour. It was under the parochial system that these evils had increased and grown up, and that these antagonist feelings between the employer and the employed, had come to prevail in the country. Though the parochial system might induce persons to act with kindness towards the poor, it led to such acts as the demolition of cottages. It might be objected to his proposition that the union system would fail in point of economy; but it was under the old parochial system that all the extravagant expenditure had occurred. In 1834 the expenses of the relief of the poor amounted to 6,300,000*l.*, which was increased to 7,597,000*l.* by law and other expenses. In 1844 it amounted to 4,900,000*l.*, which, with similar additions, came to 5,440,000*l.*, showing a saving of upwards of 2,000,000*l.* on the old system. The reduction of law expenses had been very great. There was reason to expect that a considerable diminution, not an increase in expenditure, would be the consequence of his plan. There were upwards of 14,000 parishes in England, and only 623 unions, so that it was evident the expenses attendant on removal would be greatly less if a system of settlement by union were established, instead of settlement by parishes, which at present prevailed. In the Report of the House of Lords on the Burdens affecting real Property, one of the latest Parliamentary documents brought under notice, it was remarked—

"The agricultural witnesses complained also of the restriction in the choice of labourers imposed on the farmer by the law of settlement; and Mr. Coppock, the clerk of the Stockport Union, bears evidence to the hardships and expenses occasioned by the present state of the law."

It seemed evident that the union settlements would produce great advantages in this respect, and prevent great injustice and inequality, afford a wider scope for labour, place the labourer on a better footing with his employer, bring him nearer to his work, and, above all, do that which was most important, provide him with better lodging and accommodation. It was with a strong conviction of the great importance of this question, and of the results which would arise from this Bill, that he had ventured to make these suggestions. As far as his own interest was concerned—if indeed the interest of any individual could be distinct from the general good—the resolution he proposed was rather opposed than favourable to those interests. The proposal he had made would prevent the proprietor of land, over which he had exclusive control, from turning away his labourers. He thought such restriction was right; but it so happened that whatever property he possessed was so situated. He was an owner of close parishes. He could therefore claim at least to be free from any imputation of personal motives in bringing forward this question. If the House approved of his proposal, they would remove that power from his hands; if not, they would leave him a power which he hoped he should not be disposed to abuse; but he should be glad to be deprived even of the temptation to do wrong. The hon. Gentleman concluded by moving the following Instructions to the Committee:—

"1. After a day to be fixed for each union, all paupers of the parishes comprising the union shall be settled in the union, and not in any parish of such union.

"2. But such paupers be maintained, and all expenses defrayed from a fund levied from each parish, in the proportion of the expenditure for the relief of the poor incurred by such parish, for the last seven years.

"3. Debts already charged on the rates, and interest due in respect of such debts, shall not be affected by the change."

COLONEL WOOD was sorry that the resolutions of the hon. Gentleman had been brought forward to prevent the discussion of the question as to the removal of the poor. When the right hon. Gentleman at the head of Her Majesty's Government intimated what was the nature of the measure to be proposed in regard to the poor, he stated that the question which would be submitted for their consideration was the simple abstract question, whether the House would or would not relax the law of removal so far as to enable persons whose industry had benefited a parish to acquire a settlement there. The object was that they should be exempt from removal. The hon. Gentleman proposed to substitute a union for a parochial settlement; but in nine cases out of ten, poor persons were permitted to reside in the parish where they happened to be when application was made for relief to the parish of their settlement. But the hon. Gentleman stated that by the adoption of a system of union settlements, litigation would be avoided. The hon. Gentleman said there were nearly 630 unions, and the litigation would no longer be between parish and parish, but between union and union; but there could not be a more fertile source of litigation than the transfer of authority in such matters from parochial bodies to the clerks of the unions, whose profession was that of the law. The time was approaching when further changes would be introduced in reference to the relief of the poor. It had been proposed that the schoolmaster and schoolmistress of the union should be paid out of the public funds; but there were also the expenses of the medical establishment and other items which might be transferred to the same account. In 1817 he had served on a Commission which reported that funded property was liable, as well as other property, to pay its quota to the support of the poor, if it could be properly apportioned. He consequently hoped that the Bill would be reduced to the naked question, "yes or no, will the House remove the poorer classes or not, after they had lived a certain time in these parishes?" He firmly believed the day was not far distant when funded property would be made liable, as well as every other kind of property, to the support of the poor. He thought it could be apportioned, and if so, that it could be made available for that purpose. For those reasons he felt it his duty to vote against the resolutions, and he hoped the Bill would be proceeded with, so that enough could be struck out of it in Committee to make it really serviceable.

MR. BANKES was anxious to hear the opinion of Her Majesty's Government on the question of removal, and therefore regretted the interposition of these resolutions, which had so inconveniently interfered with the discussion of the general question. He opposed the adoption of them, simply on the ground that nothing could more effectually prevent the employment of labourers. Those who were practically acquainted with the Poor Laws knew that the farmers were now employing more men than they required, because they thought it better to employ them than support them in the workhouse. If they were all amalgamated, that reason would cease to operate, and the labourers would be all left in the workhouse together. He agreed with the hon. Member that thousands of farmers would be awakened from their apathy by the measures which were passing; but they would not awaken to find relief in such propositions as those, and they must look to a different system for the support of their labourers.

MR. RICE condemned the cruel and unjust operation of a system which encouraged a disposition to drive out persons likely to become chargeable from parishes with which they had long been connected. In the parish where he resided, there were many labourers who belonged to large parishes in the neighbourhood; but, as they lived in those parishes, they would not become chargeable on that which benefited by their industry, while at the same time the market for their labour would be circumscribed by the apprehension lest they should acquire a settlement in the parish where they were employed. He was convinced that union settlements would be a great encouragement to industrious labourers, and would tend very greatly to improve their general character and condition. He would not vote for union settlement unconnected with this Bill; but he trusted that the Bill would not pass without being remodelled in such a manner as to embrace this proposition.

MR. CHRISTOPHER said, that if he could agree that the proposal was of benefit to the labourer, and especially to the agricultural labourer, he would give it his

support; but, from the practical operation of the existing Poor Laws, he was firmly persuaded that, instead of conferring a benefit on the agricultural labourer, he would be materially injured. He also considered the 5th Clause, which did not positively enact a new settlement, as objectionable in itself; but he considered the proposal of his hon. Friend still more objectionable. The benefit of the Poor Law was, that it acted as a labour-rate on the parish. He had known able-bodied labourers who had been refused employment in consequence of the distress of the farmers, because they could not agree who should employ them. These persons went into the workhouse; the parish found the expense so great that they agreed amongst themselves, and were willing to employ these people at a reduced rate of wages; but if the proposal of his hon. Friend were carried into effect, the parish would throw these persons on the union at large. It would be said, the adjoining parish is less pauperised, and therefore will contribute, by a general rate, to maintain our poor. He had some respect for the ancient parochial system in England, because he thought it engendered a good feeling of mutual kindness between the middle and labouring classes of society; but independent of that circumstance he was convinced of this, that the practical effect of this measure, if carried into operation, would be, that the farmers, when they felt themselves distressed by legislative measures, or other causes, would throw the poor on the union, partly from the circumstance that they would not be compelled to contribute so much to maintain them, and partly because they might throw these people on adjoining parishes who had taken greater care of the poor. As to the measure itself, he would not enter into any remarks in the present state of the discussion. He agreed in many of the remarks of the hon. Member for Brecon, and hoped that some Member of Her Majesty's Government would get up and state the refusal of Her Majesty's Government to assent to this proposition.

MR. STRUTT was as anxious as any hon. Member to see the Poor Laws improved, and to see that alteration so generally demanded with respect to the removal of the poor; but he, at the same time, did not wish to find defects obliterated by a still greater abuse; and he feared that by passing the Bill in its present shape, without such an Amendment as that proposed by his hon. Friend, they would be adding to the evil. There were particular cases in which such a course as that proposed to be pursued would be most injurious; and in those parishes which were in the hands of individuals the Bill might tend to open up new sources of abuse. He was inclined to think that settlement was in itself an evil; that the power to remove the poor was an evil, in so far as it interfered with the freedom of labour; but these evils were, unfortunately, necessary evils. The only effectual mode of administration was that of a local system; they could not have a local system without local interests; and they could not have local interests without some sort of settlement. That was the only ground upon which they could defend it; but why extend the question of subdivisions of settlement further than necessary? If the Bill were passed into law, it would no doubt give rise to great abuses, unless accompanied by some measure of the kind proposed.

MR. PAKINGTON felt considerable difficulty as to the course which, in reference to the Amendment of the hon. Member for Malton, he ought to pursue. He could not doubt that, by consenting to the Amendment, there would be involved a reconstruction of the Bill, and that the delay might be such that it might not pass this Session. He agreed, however, with the hon. Member for Malton, that union settlement would be an improvement on the present law of settlement, and he would therefore support the proposition. One of the strongest objections to the proposal of Her Majesty's Government was, that the Bill offered numberless temptations to local jobbing, and that it exposed the poor to hardship; and he thought that by adopting the suggestion of union settlement they would remove those objections. It had been urged against the measure recently introduced by the Government with regard to a five years' settlement, that it was unjust to the manufacturing districts; but he thought that those who derived a benefit from the labour were called on to assist the labourer when in distress. At the same time, he was of opinion that inconvenience might sometimes arise from such a system, and that it would be an advantage if, instead of being confined to one populous town, there were a distribution over a union. It had been said there would be no longer the inducements which had before existed for farmers to employ the labourers in adverse seasons; but it was forgotten that, though there would be no longer parish in-

terests, there would be union interests; that there would be the same motives as before among employers, with the difference that the circle would be widened. He was convinced that the Bill would be improved by the introduction of union settlements, and he trusted that the Government would see that the poor did not lose the advantage of such an emendation.

Sir J. GRAHAM: It may perhaps be for the convenience of the House, if I state on the present occasion what is the view which I entertain on this subject. Upon the abstract merits of the question we are now discussing, it is almost superfluous to trouble the House at any length; for this, in fact, is the same proposition which I had the honour of submitting to Parliament in the course of last Session. It is the introduction of union settlement, taken in conjunction with the irremovability of the poor who have resided in one place for five years, and have not during those five years been chargeable. Nothing is more true than what was stated, that when this measure was announced by my right hon. Friend at the head of the Government, in the early part of the Session, it was announced as a measure limited to removal, and not interfering at all with the law of settlement. And the reason for that announcement was, that in the year 1844 I submitted to the House a proposition for an extensive alteration in the law of settlement, which I then believed, and still believe, would have simplified and improved the law, would have diminished litigation, and conferred a great benefit upon the labouring classes; but the House then refused to approve of that proposition. In the course of last Session again Government proposed, in conjunction with that which is the principal feature of this Bill, the substance of the proposition now made by the hon. Member for Malton, viz., that for parish settlement, union settlement should be substituted. The reception which that proposition met with at the time, has been correctly described; the attachment to the ancient parish system was very strong in many quarters of this House; and though the administration of relief has, by the Poor Law Amendment Act, ceased to be a parish and is now a union system, still it was considered advisable to restrict the liability of the charge within the ancient parochial limits. Under these circumstances, Government did not think it expedient in the present Session to accompany the proposition it made with any arrangement for altering the law of settlement; and it was to meet what appeared to be the wishes of the House that this course was decided on. My own opinion on this matter remains entirely unchanged. I think there are many reasons why the proposition which we are now discussing would prove beneficial; but there are also some strong objections. My hon. and gallant Friend the Member for Brighton, on a former occasion, objected to the change as too extensive; and yet before he sat down he opened to the House a far more extensive, and, as I think, a still more dangerous proposition, namely, not only the substitution of union for parochial settlements, but as I understood, the abolition of settlement altogether, and the introduction of a charge on the national revenue, to be devoted to the relief of the poor. I do not think it advisable, at the present moment, to go into the discussion of so wide a subject; but I must say, according to my judgment, no proposition more dangerous in its tendency could receive the sanction of the House; and my conviction is, that if such a system as that suggested, be once adopted, no estimate can be formed of the ultimate charge to be imposed upon the public for this purpose. I may refer briefly to the objections raised by the hon. Member for Oxfordshire. He says, that this Bill, while professing to be a Bill dealing with the law of removal, is in reality a Bill affecting the law of settlement. Now, if the hon. Member for Oxfordshire would examine the matter with his usual acumen, and look to the first part of the first section of the Bill, he would see that the enactment is strictly limited to those portions of the ancient law which refer to removal. There is not the least intention whatever of altering the law of settlement; it purposes only to repeal the law relative to removal. I admit that there has been some doubt expressed on this point, and that among those competent to form an opinion an uncertainty has prevailed as to the actual meaning of the words used; but I can assure those Gentlemen and the hon. Member, that the intention of the Goverment is not in the slightest degree to interfere with the law of settlement; and in Committee I shall be prepared to insert words at the end of the first clause which will remove all ambiguity. The hon. Member for Lincolnshire, referring to the fifth clause, spoke of it as covertly introducing union

settlement, and as at variance with the avowed object, and with the title, which refer exclusively to the law of removal. The clause passed this House in 1844, and was only dropped in the other House of Parliament on the understanding that, as no alteration in the law of settlement was contemplated, that clause had better be postponed for further consideration. With reference to the instruction brought under our notice by the hon. Member, I may say that, in my opinion, it is to be considered in reference to the sentiments of the labouring poor themselves. The hon. Member for Lincolnshire states that if he were satisfied that the adoption of the proposition would be conducive to the interests of the agricultural labourer, he would, whatever might be his opinion on other points involved, give to that proposal his support. My view of the matter does rest upon a strong conviction that this proposal is conducive, and eminently conducive, to the welfare of the labouring poor, more especially taken in conjunction with the enactment of irremovability. It has been stated—and the argument has been sustained by the hon. Member for Derby (Mr. Strutt) — that the law of settlement is, perhaps, necessary, but that it is anything but beneficial to the labouring classes, and that it is a great interference with labour. Adam Smith says that there is no one enactment which has interfered so much with the comfort and welfare of every labouring man in this country at some period of his life, as the law of settlement. I consider if that be admitted, the only question is what change, in reference to other interests, can be adopted least obnoxious to the charge of interference with the poor? The hon. Member for Malton has stated that even the law as it at present stands is open to very great objections in what he terms close parishes, as contrasted with open parishes; that power exists now, and is often exercised, of pulling down cottages. I know an instance in which all the land of a parish belongs to one proprietor; it is occupied by himself and one farmer, and for the last half-century there has not been a marriage allowed in that parish, nor I believe has there been a poor-rate collected, in consequence of the cottages built years ago having been pulled down, and the strict regulations of the proprietor, that no married persons having children should reside there. That is a state of things that has occurred under the law of settlement as it now exists. Under that law, residence is the chief condition whereby a settlement can be obtained; in settlement by hiring, service, serving offices, residence is a necessary ingredient of all the modes by which settlement is obtained. Then comes the question, whether the great evil of the destruction of the dwelling-houses of the poor will not be aggravated, unless the irremovability of persons chargeable is checked by some other enactment; unless the new charge arising from that irremovability is in some degree counteracted, there cannot, I think, be a doubt that it would prove injurious to the working classes. I am strongly of opinion, that by diffusing the burden consequent upon the irremovability over a wider area, the tendency to exercise this power of pulling down cottages will be diminished. When I introduced this proposition in Parliament, in 1845, I received certain communications from various chairmen of boards of guardians, which, as bearing upon this point, with the permission of the House, I should like to read. I think the great misfortune of the present law of settlement is that character, good conduct, skill, and industry are no recommendation whatever to the favour of the law: on the contrary, the absence of these qualities—idleness, want of skill, and profligate habits, leading to pauperism—are unfortunately rather recommendations to relief and employment. The Rev. Mr. Chalk, the vice-president of the Bedford union, thus addresses himself to this point. In a letter addressed to the Assistant Poor Law Commissioner, Mr. R. Weale, dated 27th of March, 1845, he says—

"The labourer's sphere of action is materially extended, and he will soon discover that, if he cannot find employment in one parish, he must seek it in another; and that as the best labourers are most regularly employed at the best wages, it will therefore be greatly to his interest to endavour to become one of that class. The objection to settlers in a parish will be removed; and we may expect to see landlords building a better description of cottages, in order that their tenants may have the advantage of good labourers in their immediate neighbourhood. A member of our Committee stated that the best and most trustworthy labourers on his farm, which is a large one, do not belong to the parish. Why were these men so distinguished? Because they knew if they were not more skilful and more trustworthy than the other labourers, they would not retain their situations. I receive the rent of three cottages in my parish. One is occupied by an old widow, belonging to a neighbouring parish, the other two by able-bodied men belonging to us. The widow always has her rent ready on Michaelmas-

day. The other tenants make every excuse to put off payment; in fact, give more trouble than the rent is worth, although it might be paid from the produce of their gardens, if judiciously managed. I could multiply instances, but the two I have mentioned will, I think, sufficiently explain my meaning."

Observe the extent of this alteration in the circles to which labour is at present confined; there are 14,500 parishes where separate settlements can be gained; there are only 620 unions; thus the substitution of the union settlement for the parochial will at once admit of a great increase in the free circulation of labour. Mr. Price Alcock, the vice-president of the Medway union, says:—

"But, there is another and great evil under the present system: there is no inducement held out to the young labourer to excel as a workman, to be industrious and of good moral habits. If he travel beyond the boundaries of his parish, he can gain no employment, and, if he remain in it, he meets with little or no encouragement, inasmuch as he sees the most worthless men in the parish, because they have wives and families, obtain employment, when he can obtain none; and careless, idle, reckless habits, improvident marriages, and all the ills of pauperism, are the sad consequences. The proposed Bill will extend the field of labour for the poor man, and, instead of being questioned as to his parish, he will be questioned as to his quality as a workman, and his character as a man; and thus excellence and industry will meet with their due reward. You will see by what I have said that I anticipate good results from the proposed change."

I have also a statement of the converse of the statements of these two gentlemen, vice-chairmen of boards of guardians, and I must say it makes the case complete. I have said that this alteration of settlement from the parochial to the union will make the character of the labourer of greater value, and that his skill and industry will be better tested; that these qualifications will recommend him to employment, and not his liability to relief. The objection to this is here stated by the Rev. Charles Green, rector of Burgh Castle. He expresses his apprehension that—

"The active and able-bodied could alone avail themselves of an extension of the field of labour beyond their parishes, while the inferior and decayed labourer would be injured in the same or a greater proportion. This last class of labourers, who most stand in need of protection, would materially suffer by throwing open the field of labour. For the independent subsistence of the decayed, and the stupid and the clumsy labourer, I apprehend, a monopoly, such as we now have in parishes, is necessary."

Here is an admission that the existing law favours the idle. Protection to the clumsy and inferior labourer, as contrasted with the skilful and superior man, is the argument used against a change in the law. I have here a report made by Mr. Tufnell, when he was Assistant Poor Law Commissioner in 1844. He says—

"I know a gentleman in an agricultural union who has taken a large farm, and cultivated it with the greatest skill, introduced the latest improvements, and made it a model for all the neighbouring agriculturists. He pays higher wages than any one else, employs on his land three times the proportion of labourers that other farmers do, and hence might be supposed to be popular in a pauperized parish. Not at all. His good farming requires good workmen; and hence he takes them from any part of the union, quite regardless of the parish to which they belong. His own parishioners grumble, and say he does not do half the good that farmer B. does, who employs fewer labourers, but takes them all from the parish, and thus helps to keep down the rates. This gentleman acts as every one would act were a union settlement established, *i. e.*, he takes the best labourers wherever he can find them, regardless of parochial considerations. With him, good character, skill, and trustworthiness are the very first requisites; and is it not clear that the whole population is far more benefited by the premium thus given to these qualities, than by simply considering the place of a man's settlement? Hence moral considerations, which I see put forward as arguments against a union settlement, appear to me to be strongly in favour of it; and I draw this conclusion, because such a change will do what it is apprehended it will do: it will give greater play to the operation of other and higher considerations than settlement ones in the selection of labourers for employment."

I have now very briefly stated the opinions of those who have had great experience, first, in the management of the poor, as vice-presidents of boards of guardians, and next, as connected with the supervision of relief, assigning their reasons, I think very strong ones, in favour of the proposition contained in the instruction. I certainly apprehend that there is some risk that irremovability, without some check, may cause some addition to various local interests, which induce proprietors to destroy cottages upon their property, in order to throw the burden from themselves upon adjacent parishes. I do not, however, think that risk so great as some have stated it to be; for, as I have observed, the existing law of settlement is open to that objection to a great degree; and, notwithstanding that law, every one who has travelled on the Continent must have been struck with a peculiar difference between this and other countries, in the great number of detached cottages he sees in every direction in passing through England. On the Continent the labourers are congregated in villages and small towns; detached cottages are rarely seen. I believe there are other motives of a kindly nature on the part

of proprietors of the soil generally, which render them not indisposed to have for neighbours the humble class upon whom they so much depend, and whose good feeling it is their desire and interest to cultivate. Therefore I do not apprehend, if there were no such check as I have mentioned, that the pulling down of cottages would be carried to an extravagant extent; still I am of opinion that the proposition of the hon. Member for Malton would operate as a check to that evil, and I certainly should have great difficulty, personally, in voting against it. I do not think, however, that the insertion of it in this Bill is at all indispensable to the other provisions of the Bill. If the hon. Member presses his proposition, I must certainly give it my support; but even if it should be rejected, I do not see that I may not consistently proceed with the other parts of the Bill, improving them as far as practicable in reference to the general scope of the measure. In making this great alteration in the law of removal, I have proceeded on what I think the soundest principle—that of repealing all former Acts in reference to this subject, and embodying them in one general statute, that shall present them in a clear and distinct form. This Bill does repeal all anterior Acts regulating the law of removal, and will be a complete code upon that subject, obviating many objections to the present law of settlement. If the House goes into Committee, I hope I shall be able to assign reasons for its various provisions, and shall be most happy to attend to any suggestions that may be offered. I think there would be great difficulty in adopting the suggestion of the hon. and gallant Member for Brighton, to introduce a Bill of two or three clauses, making provision for irremovability only; as the law stands, it would only add to confusion, and render the working of the measure uncertain. I entertain a strong opinion as to the importance of some regulation, which shall secure the labourers in manufacturing districts, after a certain term of industrious labour, against removal in the period of sickness or want. I think some such provision necessary. As bearing on those localities, there are some points the House ought to consider: I allude to the effect of this measure upon the manufacturing as compared with the rural districts. By the census of 1841, it appears that there are in Westminster 114,035 persons born in the county of Middlesex, 108,018 persons born elsewhere; in the hundred of Brixton, Surrey, the number of persons born in the county is 156,571, elsewhere 154,015; in Liverpool, the number born in the county is 120,000, elsewhere 130,000; in Manchester, those born in the county are 108,196, born elsewhere 55,660; in Birmingham there are born in the county 66,768, elsewhere 41,447; in Glamorganshire, those born in the county are 129,759, elsewhere 44,429. Now, contrast these numbers with those of the agricultural districts. In Bucks, the number born in the county is 127,133, elsewhere only 28,860; in Essex, there are born in the county 297,671, elsewhere 47,000; in the East Riding of Yorkshire there are born in the county 174,246, elsewhere 20,690; in Anglesea there are born in the county 48,000, elsewhere 2,800. I could illustrate this still further, but this is sufficient to prove the great importance of the question we are discussing. I attach the utmost importance to these provisions, because I believe they will be conducive to the happiness of the labouring classes. But at the same time you must remember that, as bearing on the question of local charges, and the interest of the ratepayers, the change is very great. I think in many localities, the effect of introducing irremovability, without distributing the burden over a larger area, will be considerable hardship; and it would be well for the House to consider whether the proposal of the hon. Member for Malton would not in such cases greatly mitigate these new and additional burdens. There is also another consideration I cannot overlook; I think, as the burden will fall with accumulated weight on small localities, the severity with which the Poor Law is carried into execution in those localities cannot fail to be increased. If you distribute the burden over a wider area, there will not be, on the part of boards of guardians, so rigorous an enforcement of the law; its severity will be relaxed, and there will be a tendency to give a more generous consideration to the wants of the poor. Upon the whole, then, whether we look at the moral effects of the proposition upon the character of the labouring classes, the premium it would give to industry over idleness, to skill over want of skill, or its tendency to produce a more mild administration of the provisions of the New Poor Law, I am bound to say my opinion is in favour of the proposition. If it is pressed to a division, I cannot oppose it; if it is

rejected, I shall not therefore recede from the proposition I have made on the part of the Government; and I shall be quite prepared to sustain, in argument, the advantages of the clauses as they now stand. If the House should pass the instruction, I will undertake that it shall be laid on the Table, in the form in which it would require to be introduced into the Act, during the early part of the week.

Mr. BROTHERTON considered that the suggestion of the hon. Member for Malton would be a great improvement of the Bill of the Government. Whether the measure were or were not a boon to the labourer, it was more just to the ratepayer. He agreed with the right hon. Baronet that the Bill of the Government would have the effect of throwing a very considerable burden upon the manufacturing districts, of which, however, they did not complain.

Sir R. H. INGLIS said, the House could not be surprised at the parental manner in which his right hon. Friend had treated the proposition of the hon. Member for Malton; which was, in fact, the offspring of the right hon. Baronet himself, though introduced into society by the hon. Member for Malton. He could not refrain, however, from asking why, if the right hon. Gentleman had so strong a sense of the necessity of this proposal, his right hon. Friend had not introduced it as part of his own measure. His hon. Friend the Member for Oxfordshire had been misunderstood; his hon. Friend only meant that the mention of former statutes gave the Committee a *locus standi* to consider the whole question, for removal and settlement were correlative terms. The hon. Member who spoke last had said, that though the measure imposed burdens upon the manufacturers, they were not against it; but he begged to ask for whose benefit had the large masses of population been congregated into the manufacturing towns. He felt, however, that he ought to have begun by expressing his regret that they had not been permitted to have an opportunity of discussing the general principle of the measure, on the Motion for leaving the chair. He could not forget, that when the right hon. Baronet at the head of the Government first introduced to the notice of the House this measure, it had been represented as a great boon to the agriculturists—one of those twenty items, each small in itself, but the aggregate of which were to counterbalance the loss occasioned by the depreciation of agricultural produce. He had at the time stated that such a driblet as the measure then shadowed forth imperfectly by his right hon. Friend, was not what they had a right to expect; it was not such a remedial measure as was worthy of the occasion or of those who offered it. He had suggested that a sum of half a million, taken from the Consolidated Fund; that a taxation of the funds themselves might have been a more worthy compensation; but he never meant to lay the whole burden of the poor upon the Consolidated Fund; he proposed to leave to the local authorities the means of checking expenditure; and that proposal would combine two important objects; it would afford something like an appropriate compensation to the agricultural interest, and it would give to such agricultural interest on the spot the means of checking the unlimited expenditure which might take place if the whole amount was charged upon the public purse. He believed, however, that this proposal would be fatal to the progress of this Bill during the present Session of Parliament; for, considering the period at which they had arrived, and the nature of the measures still before them, if Her Majesty's Government should be reduced to the necessity of introducing a new Bill, before that Bill could reach the stage at which the present had arrived, the Session, he hoped, would be so far advanced that the Government would not be able then to carry any Bill. There were several propositions involved in the Bill, which he admitted to be good, but which it would not be proper for him then to enter upon. He, however, regarded the instruction proposed as another attack on the parochial system, as calculated to weaken the social ties established by that system, and as open to the objection forcibly stated by the hon. Member for Lincolnshire and others. He felt convinced that it would hold out a great temptation to parishes to transfer the burden of taking care of all those who, from any cause, might become incompetent labourers, to the union, at an expense of 30*s.*, instead of not more than 9*s.* or 10*s.* in their own parish. Reserving any further observations on the measure itself to a future occasion, he should certainly oppose the Motion of the hon. Member for Malton.

Mr. C. WOOD said, that he for one was inclined to support the proposition of his hon. Friend the Member for Malton; but being greatly in favour of the present Poor

Law, he could not concur with the right hon. Gentleman the Home Secretary in treating so lightly those parochial ties to which he had referred, as likely to be interrupted by that proposition. There was unquestionably a connexion existing between local labourers and the farmers, who were their employers, which, in his opinion, it was most desirable should, as much as possible, be maintained. He confessed he did not see, in reference to the measure before the House, how a more generous administration of the Poor Law was to be promoted by it. The administration of the law rested with the guardians of the union, and with them it was proposed to leave it —at least, he did not see that any change in that respect was contemplated under this Bill. He considered that an union settlement was necessary in order to obviate those objections which were felt to the Bill as it stood; and it would be still more necessary if the Bill were to be amended in Committee in such a way as to render it of the slightest use whatever. He thought the hon. Baronet the Member for Oxford was wrong in treating the Bill as a settlement, instead of purely a removal, Bill. With respect to the principle of irremovability for a certain period giving a claim to a settlement, let him remind the House that irremovability for forty days was a foundation for a settlement—and he understood that, in the opinion of many professional men qualified to express an opinion upon the subject, it was actually a question whether the Bill would not, as it stood, give a settlement. And this he mentioned without at all admitting that it was a Bill for the establishment of settlement. He was sorry, however, to hear from the right hon. Baronet, that he should not be unwilling, in Committee, to introduce words which should have the certain effect of preventing it from being considered a Settlement Bill; because in his opinion, unless the measure did confer a settlement it was worse than useless. But if nothing less than irremovability for a space of five years was to confer such settlement, he could not conceive who would ever obtain one, particularly when it was considered how difficult it was to prove what, in many cases, constituted residence. In the hope that the Bill would, in Committee, be made effectual for conferring a settlement as the consequence of some shorter period of residence, and be so amended as to render an union settlement the best, he should vote in favour of the instruction of his hon. Friend.

MR. HENLEY said, the Government were taking an extraordinary course. This Bill had been first introduced as a compensation for another measure; and after bringing it in, the right hon. Baronet said, he was ready to make an important alteration in it. At present, it was in the power of parishes to have union settlements if they pleased; and there had not been a single instance of that plan having been adopted. The matter now proposed to be changed seemed very light; but considerations of that description ought not to determine the House in the vote which they should come to on the present occasion. They should ask themselves this—what would be the real benefit to the country? They should, he thought, not agree to anything of the sort, if they were not able distinctly to perceive that there would be a decided advantage to the poor—a clear and certain advantage to the poor. No doubt, they had a right also to look at its operation upon the ratepayer. With reference to the Bill now before the House, he understood it to be said that the measure was intended to affect decayed, inferior, and idle persons. Now, he begged to observe that poor men being decayed and inferior, were not necessarily idle; no man was necessarily idle because he did not happen to be so strong as his neighbours. But now the rule was, that those who were to employ labourers were entitled to buy in the cheapest and sell in the dearest markets. It was a novelty to apply this principle to the poor of England; the principle, however, had long been acted upon in Scotland; and that, perhaps, was one of the reasons why Scottish agriculture surpassed that of England. The Scottish farmer did not, as the English farmer did, act upon the rule of "live, and let live." When he did not find that men in his employment were worth the rate of wages that he paid them, he turned them adrift. That never had been the practice in England; men once established in a parish continued there to the end of their days. Now, it became a very serious question for the House to consider whether the proposition before them was one which in the long run would produce the greatest benefit to the greatest number of human beings. In making these observations, he by no means addressed himself to the political economists, for they never touched the inferior labourers. Men to whom it had not pleased God to give sufficient strength to entitle them to be called first-rate labourers were never employed by those who called them-

selves sound political economists. According to the new system, such people were to be kicked out of employment, and sent to the union workhouse. He should say further that, if the parochial system were to be broken up, the destruction of it ought to be carried out to a much greater extent than the proposition now before the House seemed to go; and, confining his view to the change which the Motion before them was intended to effect, he could not help saying that he saw no reason to believe that any advantage would accrue to the poor from the extension of the labour market to the unions, instead of limiting it, as heretofore, by means of the parochial system. That was a strong opinion; and he admitted that he did entertain strong opinions upon this subject. He believed that, in order to make farming profitable, people must seek out for the most effectual means of practising the greatest economy; and he feared that the result would be that all the inferior labourers must be thrown out of employment. These were the reasons which would influence him to vote against the instruction, if the House divided on the Motion which had been made by the hon. Member for Malton.

Mr. V. SMITH doubted whether it were expedient to take an average of seven years in preference to three years. It had been in the course of the present discussion made a matter of accusation against some hon. Members that they had, on former occasions, expressed disapprobation of the proposition which they were now prepared to support. He begged to say that he had never heard of any such disapprobation having been expressed. No disapprobation had reached him, except the disapprobation which was expressed by the public through the newspapers. Moreover, it could not be said that, with reference to the present instruction, the public or the House had been taken by surprise; on the contrary, the instruction had been talked of previous to the Whitsuntide recess. It must be well known to hon. Members that the subject had for a long time occupied the attention of the public. It was a plan, however, which he could not help saying was well calculated to do mischief to the measure now before the House—no plan better calculated to have that effect—nothing more damaging to the interests of the measure. There was another point which he found it difficult to avoid noticing, viz., the fact that the Bill now before them had been mixed up with the discussion of the great measure that had recently occupied the attention of the House, with which he thought that it ought not to have been, at least in that manner, connected; and he thought further, that there was no necessity for thinking the worse of the Bill on account of the instruction which the hon. Member for Malton had deemed it necessary to propose; it therefore occasioned him no small surprise to hear the right hon. Baronet himself finding fault with his own measure. [Sir J. Graham: I did not.] Surely the right hon. Baronet said that, without the introduction of the union system, great injustice would be done to the measure? He and other hon. Members so understood the right hon. Baronet. They were now engaged in discussing what ought to be the clause when they went into Committee; and let it be remembered that the Motion merely went to recommend the subject before them to the consideration of the Committee; the matter might certainly be disposed of without the introduction of a fresh Bill. The sole question for the House was this—were they prepared, when they went into Committee, to adopt the proposition of his hon. Friend? Did they think that parochial ties were the only thing that bound parties not to seek employment elsewhere—in fact, wherever they could best find it? At present, no doubt, if a landlord contemplated any improvement, and looked about for the fittest labourers, his agent and other persons in the neighbourhood would at once say to him that of course he could not think of employing people who came out of other parishes; and if labourers went out of their own parishes to seek for employment, they were warned against doing so, lest they should lose that support which, in their own parish, they might otherwise expect. Considerations to which he had thus briefly adverted would induce him to vote in favour of the instruction moved by his hon. Friend. He hoped that when adopted by the House it would put an end to that system which cramped the energies of the poor man wherever he went. It was not out of place that he should here observe that they could not have union settlements without union rates; and he wished to repeat his conviction that the hon. Member for Malton would find difficulties as to the average of seven years—three, he thought, would be much more convenient. As to the efforts which landlords and farmers in a parish might make for the purpose of keeping labourers off

the parish, he could only say, that people in general were ready enough to let their poor neighbours go upon any public fund, though very careful how they allowed such people to become burdensome to any fund to which those parties themselves especially contributed; and that appeared to him a reason why the poor rates should rather be levied off the owner than off the mere occupier.

MR. NEWDEGATE said, that the principle involved in this Bill, or rather in this instruction, was not in want of any notoriety, for it was very freely canvassed last year. He had himself consulted every board of guardians in North Warwickshire upon it, and, with scarcely an exception, they all disapproved of it. Though he did not agree in all that had fallen from the hon. Member for Northampton (Mr. Smith), yet he considered that he had advanced almost the only argument on which a union settlement could be defended. He agreed with the hon. Gentleman, that if they must have a union settlement, they must also have a union rating. In reference to this resolution or instruction itself, it appeared to him, he confessed, to be completely a one-sided resolution, and that the advocates of it were contradictory, inasmuch as they were in favour of a union settlement, but, at the same time, for a retention of a parochial rate. He could answer for his own constituency being not one which was more reconciled to this union settlement now than they were last year; and was persuaded that, if it were adopted by the Government, it would lead to a deep and well-founded discontent.

MR. GRANGER was of opinion that the proposition of the hon. Member for Malton would do a great injustice to more than half the parishes in the country. He was surprised to hear the right hon. Baronet, on this occasion, express his willingness to accede to the proposition, which would tend to throw upon uninhabited rural parishes the burden of taxation for the support of those who had spent their lives in the employment and for the benefit of manufacturers in towns. Those who obtained the benefit of their work should pay for their support. It seemed to him that they were undoing with one hand that which they were doing with the other. He must say that he was not prepared for such an extensive change in the parochial system as that proposed by his hon. Friend below him. If there were to be a change at all, he would certainly prefer that which was suggested by the hon. and gallant Member (Col. Wood).

VISCOUNT MORPETH was not present at the commencement of the debate, but wished to record his opinion in favour of the instruction moved by his hon. Friend the Member for Malton. The best way to guard against repeating what had been stated before was to make his present observation as brief as possible, and to confine what he had to say to matters within his own local experience. He could hardly say that that was a proper rule to apply to a matter of national concernment, yet from the local wants of a district they might see what was best for the community at large. In the neighbourhood in which he lived there were very large tracts of country (especially in what were called the Wolds of Yorkshire) in which large portions of land had been recently enclosed. There were whole townships in the hands of a large proprietor, or two or three large proprietors, and in a great number of those townships there was no house or cottage in the whole township, and the labourers lived in towns and villages situate in the adjacent townships. If they enacted, as he believed the Government and the House were prepared to enact, that the person who resided for five years in any given parish or township, should not be removable, without making any further provision, he thought, without going into the question between the rural districts and the towns, that in the rural districts themselves it would bear very hard indeed upon several parishes and townships, while it would confer almost an immunity upon others, especially on those in which the property and influence of the landed proprietors would most preponderate. They would legislate almost exclusively in favour of what were called the close parishes or townships, and almost overwhelm the country towns and villages; and the man who could prevent any cottages being built on his land, or who would pull down those that were built, on the principle that he could do what he liked with his own, would be let off scot free. He thought the way to get rid of that objection was, to adopt union settlements (instead of township settlements), as proposed by his hon. Friend the Member for Malton. He thought that the objection which he had heard against union settlements partook of a superficial or sentimental character, whilst the evils they would otherwise leave untouched, if not abrogated, were very plain and palpable. He did not look upon this

as a question between the interests of the manufacturing and agricultural districts, as a question concerning the comforts and feelings of the poor themselves. And if there were any class of the population which was peculiarly affected by the frequency, and uncertainty, and complication and hardship of removal, it was the most destitute portion of the labouring population. It had been computed that in the rural parishes three-fourths of the removals consisted of persons who lived away from their parishes for a period of above five years. Now the number of those renewals would of course be very much diminished by adopting the Bill as it now stood, and as it was brought in by the Government; but if in addition to that they adopted the instruction of his hon. Friend the Member for Malton, and diminished the number of places having the power of removal from 15,000 to 700, it was plain they would diminish the hardship of removal in an enormous degree. He trusted if the House consented to the adoption of that course, enacting by joint legislation that persons residing for five years should be irremovable, and further limiting the number of districts having the power of removal to 700, he trusted that in that case the hardship which pressed upon the labouring poor, so far as the result of those removals, and the falsification of testimony which every person who attended to those matters must lament—he trusted that those growing evils by this joint legislation would be removed; and with that feeling he should give his hearty support to the proposition of his hon. Friend the Member for Malton.

Mr. PACKE said, that as this question had never been treated as a Government Motion, he thought it very strange that, on this occasion, the Government should, without giving any notice, adopt, as a measure of their own, that which contemplated a change of such vital importance in the whole system of parochial settlement. He thought that the country ought to be made well aware of the intended change; and it was most preposterous, no matter what good or what evil might arise from the measure, for them now to come to a division on the question. He could not, at the same time, help thinking that acrimony and litigation were evils likely to arise between parishes with regard to settlements. By this measure they were only making enlarged parishes. The noble Lord who had just spoken, had instanced parts of the country in which he lived, in support of his arguments; and he would follow the noble Lord's example, by instancing a part of the country to which he belonged. The union in which he lived was most thinly populated, yet it was burdened with the support of those who were sent from an adjoining union. He thought that this measure would tend materially to aggravate the evils which already existed, by transferring large populations to thinly populated districts. He should oppose the Motion of the hon. Member for Malton.

Mr. T. DUNCOMBE thought it would be perfectly consistent to entertain the Bill, as originally proposed by the Government, if they adhered to that Bill; but now that he saw the right hon. Baronet had consented to support the Motion of his hon. Friend the Member for Malton, he thought the question came before them under a totally different aspect. What was the object of this Bill originally? He had, on a former evening, taken the liberty of addressing the House on the subject, and pointing out what he conceived it to be, and that it contained a principle most valuable, not merely to the landed interest of this country, but to the great operative population in the manufacturing towns of the country. He said if there was anything that tended to make that population favourable to the measures then introduced by Her Majesty's Ministers, it was the provision contained in this Bill when properly explained to them; for the House must be well aware, the country must be well aware, and Her Majesty's Ministers must be well aware, that what they called free trade in the abstract had not been extremely popular with the great operative classes of this country. They had looked upon this contest between the agricultural and manufacturing interest with perfect apathy and indifference; they looked upon it as something of a pull-devil pull-baker sort of contest; and he almost thought the baker was the favourite of the two. Now, why had they been so indifferent to that which he believed would tend to their ultimate benefit? Why, for this simple reason, that they had not believed, they do not believe, and it was very difficult to make them believe at the present moment, that the great capitalists of the country were really favourable and took a deep interest in their welfare—and how were they to judge of this? When there was any reverse of fortune in those manufacturing districts, had the unfortunate persons who were making the fortunes of the great

capitalists been supported as they ought to have been supported in times of depression? They had not; they had only to read the returns he had moved for from the manufacturing towns, to see that they had not, and he had moved for those returns for that purpose. He should not be surprised to hear the hon. Member for Birmingham opposing this Bill giving local relief to the operatives who were making the fortunes of the capitalists in the neighbourhood; and it might be said by him, that it was hard on the manufacturers. It was very hard that those who had made their fortunes by the services of these persons, should send them adrift without hesitation when they had taken enough out of their services, and turn them away in sickness or old age. The poor man was thus made to suffer, and a heavy burden was thrown on the agriculturists whenever a depression took place in the manufacturing districts. The Bill introduced by the right hon. Baronet was brought forward as part of his plan of commercial reform, and as a great boon by that right hon. Gentleman, as a great boon not only to the agricultural interest, but to the manufacturing labouring population. Up to the time when the Bill appeared in print, he understood the proposition of the right hon. Baronet was somewhat different from the plan embodied in this measure. He should have been satisfied, however, to have taken the measure as he found it, if the right hon. Gentleman had stuck to his text. The Bill was not made more valuable in his eyes, because the Government appeared to assent to the suggestion of the hon. Member for Malton, which proposition interfered with the valuable principle, that when a labourer required relief, it should be given to him on the spot where relief was required, instead of his being driven from pillar to post, as was the case under the law of settlement. But was this all? The Bill itself did not go so far as he wished, for he considered the five years' residence proposed was too long a period, and he had always intended to propose to reduce them to three years. The case, however, was now altered with respect to this Bill, as the right hon. Baronet had assented to the proposition of the hon. Member for Malton. What was the argument on which the hon. Member for Malton rested his proposition? It was, that in the neighbourhood of Malton there existed a particular state of things as regarded the poor. The House well knew to whom this borough and all the neighbourhood belonged. It therefore did not become him to talk of the effect that would be produced by the Bill in that neighbourhood. His noble Friend the Member for Yorkshire talked of the wolds of Yorkshire. He, perhaps, knew as well as any man that part of the country; and he would ask, whether for the barren wolds of Yorkshire they should regulate the legislation of that House on such an important subject as this? Far from it, for he knew that not one-tenth, as had been asserted, of the population were receiving parochial relief, but one-seventh or one-eighth. The interests which they ought to consult were not those of the wolds of Yorkshire exclusively, but those of the great manufacturing population of the country, which might require relief. He should not be satisfied until they put an end to the law of settlement, which he considered to be a most injurious law. The right hon. Baronet had most inadvertently assented to give the support of the Government to the instruction to the Committee. Of course it was in the power of the House to say, whether or not such instruction should be adopted, and he trusted the House would not assent to it. If the operation of the law of settlement was inquired into at all, he believed that it could be clearly shown that its operation was most injurious to the poor man, and of no benefit to the ratepayer. On that account he intended to propose as an Amendment, and take the sense of the House on the subject—he should move that it be an instruction to the Committee on the Bill, that the Committee be empowered to make regulations for the repeal of all laws for the relief of the poor, and that for the future all poor or destitute persons should receive relief at the place where such relief was required, and that the State should afford relief in such places, and that it should be levied by county rates, or other means which Parliament in its wisdom might devise. He should like to know what good reason there was for objecting to this Motion. They might tell him that the time had not arrived for adopting it; but he said that it had. Great commercial changes would shortly take place in consequence of the measures of the Government, and therefore the time was admirably adapted for that purpose. The speech of the right hon. Baronet on introducing his commercial measures, showed that such was the course which he deemed it advantageous to take, and that this was one of the

changes which he regarded as of very great importance. The right hon. Baronet then said—

"I come, now, Sir, to a law grievously complained of, and justly grievously complained of, by the agricultural interest. I mean the present law of settlement. Under the present law of settlement the population of a rural district, in times of manufacturing prosperity, is invited to emigrate to some great manufacturing town. The prime of a man's life is consumed in those manufacturing districts—all the advantages to be derived from his strength, his good conduct, and his industry, are derived by the master manufacturers in the towns. A revolution in manufacturing affairs takes place, a reaction ensues, and the trading and manufacturing interest do not prosper—then what takes place? The man, together with his family, who were removed from the agricultural districts in a season of manufacturing prosperity, are sent back to the agricultural districts; and that man, the best of whose life and energy has been spent in the manufacturing districts, that man who, perhaps, had not been provident in his prosperity, must return to the rural district unfitted for rural occupations; that man, greatly to his annoyance and suffering, is transferred to a former home, which probably he has forgotten—to a place with which he has lost all connexions, and where he has not the means of getting employment—and not only is a great injustice inflicted upon the rural district, but a shock is given to the feelings of every just and humane man. We propose, therefore, not only to relieve the land from a burden, but we propose to do an act of justice to the labouring man by altering the law of settlement. We propose, Sir, that an industrial residence of five years shall not only give a claim to relief; but that after such a residence the power of removing him shall be taken away, and that his legal claim for support shall not be on the place of his original settlement, but on the place to which for five years his labour and industry were given. Now, Sir, I dare say many will remember what took place in November, 1842. In 1842 there was great distress in the manufacturing districts; the practice then followed was, that the persons employed in manufactures who had a settlement in the agricultural districts should be returned to those districts for the purpose of obtaining relief. Now, Sir, I conceive that the alteration we propose will be a moral improvement of the law, just in itself, and a great relief to the rural districts. It will be a great advantage to the agricultural interest, while at the same time it will be the remedy of a gross injustice under which the labouring man now exists."*

If these words meant anything, they implied that there should be such an alteration in the law of settlement as would enable a man to obtain relief on the spot where he required it; and this must have been the intention of the right hon. Baronet when he said, "Pass the Corn Law Bill and the Tariff, and I will give an alteration in the law of settlement." By the present proposition they were only going back to that involved in the old Bill of last year; but the country would not be done out of the promised measure by adopting the instruction of the hon. Member for Malton. Look to the returns which he had moved for relative to the removals of the poor from the manufacturing districts to the rural districts, and the abuses which existed would be clearly shown, and the hardships would be manifest to which the poorer classes were exposed by the bad state of the laws. What happened in 1842? Why, it was one of the threats held out by the manufacturers to the agricultural gentlemen, that they would stop their mills and send back all their men to the agricultural districts. Did the manufacturers think that the manufacturing population had forgotten this threat? They must not suppose that that large class could patiently bear the notion that they were liable to such injustice—that the manufacturers might send back to the rural districts two-thirds of the population which they employed. He knew that last year the grossest delusions prevailed on this subject. They were told, "Look at the poor man, he is attached to his parish and place of settlement." This was the greatest delusion which could exist, for these were not the terms on which a poor man wished to return to his parish; he wished to return in such a state of independence as would obtain for him the respect of his native parish, and not be dragged from place to place as a pauper, and sent as a felon with his wife and family from the manufacturing to the rural districts. Now look to the following returns which he had moved for:—

"A Return specifying the number of families and persons removed by any local order or other authority to their place of settlement, from each manufacturing town in Yorkshire, Lancashire, and Cheshire, during the years 1841, 1842, and 1843; the date of such removal, the name of the parish to which removed, and the occupation or trade, and length of residence in the town from which such families and persons were so removed."

Now, he felt bound to say, that, from some of these towns he had the greatest difficulty in obtaining returns, and more especially from Stockport. He had thought that it would have been unnecessary to appeal to Parliament to obtain these returns. He had sent down to Stockport, and asked for these returns, as he had understood that a great number of the poor had been removed, and the place, they were told in 1842, was going to rack and ruin. The clerk of the union in which Stockport was, refused to let a ratepayer of the

* Hansard, Vol. lxxxiii. pp. 266, 267.

district see the returns, or to give any information as to the length of residence of the persons who had been removed in the three years of distress. From most of the towns he readily obtained the information he required ; but this was not the case as to Blackburn, Stockport, Bury, and Leeds. In the returns from Stockport and other places they would find no information as to the period of residence of the parties removed. But what was the result of these returns for three years ? In 1841, the distress consequent on the depression of trade commenced ; 916 families were removed, consisting of 2,288. In 1842 the numbers were doubled ; the numbers of families were 1,802, and composed of 5,277 persons; and in 1843 there was an increase of nearly 30 per cent, for the number of families removed was 2,236, comprising 7,200 persons. Thus altogether, in the three years from 1840, 5,054 families, composed of 14,765 persons, had been removed from the manufacturing towns to their places of settlement. Was this the treatment which these poor people should experience, who had passed the best part of their lives in these manufacturing towns. From Manchester, a man who had lived thirty-five years in the place was sent with his family back to his place of settlement. Do not tell him that the law of settlement was advantageous to the working man, when such cases occurred as that a man, after thirty-five years' residence, should be sent back to his original place of settlement under the operation of some obsolete law of the 13th and 14th of Charles II. They must not suppose that the working men would patiently submit to such legislation as placed them in such a condition. Now what was the state of the families sent from Stockport ? He did not know whether any Irish Members were present, but certainly Ireland was as much interested as England in this matter. Only look into the return, which would show the large number of Irish people who were sent to Ireland from these manufacturing towns in 1841 and 1842. Several poor men with their families had been sent back to Ireland from Stockport: he did not know how long they had been resident there, as the authorities there, and at one or two other towns, pretended that they could not furnish the information, although it had been readily obtained from the rest of the towns. The clerk of the union at Stockport distinctly stated that he could not tell how long any of the persons removed had resided in that town. One man with a wife and eleven children had been sent back to Ireland. In 1841 there was another case of a man with nine children, and another, an overlooker, with six children; another with nine children, an overlooker with eight, a spinner with eight, but he could not learn how long any of these poor persons had resided in the place. His object, therefore, in moving for the return had not been obtained in the manner which he could wish. He therefore asked what benefit such a law of settlement could be to the poor man ? He would then ask what benefit was it to the ratepayer ? He had that night presented a petition from the parish of St. Luke's, relative to the number of persons who were employed in the city of London, yet who were chargeable to that parish. If they meddled with the law of settlement at all, they could not do better than abolish it altogether. The Motion of the hon. Member for Malton only went to prop up a bad system. He did not know what might be the result of the proposition which he should make ; but he was determined to place it on record, and he was satisfied that it would ultimately be carried. He had been asked whether the public mind was prepared for this change. He was satisfied that the operative classes in the manufacturing districts were clearly in its favour ; and they were most desirous, if they needed relief, that they should be enabled to obtain it on the spot where the necessity arose. He had been, during the last week, in the manufacturing districts, and he was happy in being able to state that there had been a great improvement in the condition of the working classes in these districts. There was no time when they could judge better of the condition of the people than in holiday time, for if they had any surplus means they generally spent it in enjoyment at such times ; and he could not run through the manufacturing districts without seeing the extent to which this prevailed, and he was delighted to see the improvement which had taken place in those districts. On Sunday he went from Manchester to Leeds ; and the trains, numerous and long as they were, were not nearly sufficient to carry those anxious to visit their friends in the neighbouring towns. Look to the state of things in 1841 and 1842. Then the families of the labourers were without clothing, and they were told that, in consequence, the children could not appear in public. Persons

then talked of giving spiritual instruction to the labouring classes; but they said that they had no clothes or food for their children, and therefore could not send them for that purpose. These classes now appeared to have the means to enjoy, as far as their station allowed them, the great blessings of life. Under these circumstances, this was the time, above all others, when they could conveniently, and should, alter the law of settlement, with the view ultimately to get rid of it. When there was a state of depression in the manufacturing towns, they could not do this, as a great mass of the people would be at once thrown on the local rates; it would be unfair at once, under such circumstances, to inflict such an expenditure on them. If they looked now at the state of the country and at the improvement in the condition of the working classes, and also entertained the hope that the measure Parliament was about to adopt would improve the moral and social condition of all classes, it was clear that it was the proper time to get rid of the law of settlement, and to make an equitable adjustment of the Poor Law. He did not see why the manufacturers should not bear the burdens of relieving that unfortunate portion of society in their districts which became destitute, and who, by law, were entitled to relief. The hon. Member concluded by moving as an Amendment on Mr. E. Denison's Motion—

"To leave out the word 'provision,' to the end of the Question, in order to add the words 'for the repeal of all laws regulating the settlement of the poor, and also to make provision that henceforth all poor persons entitled to relief should have their necessities relieved within the Union where such necessities occur; also, to make provision, that the State, by an equitable assessment, should provide the means for affording such relief,' instead thereof."

General JOHNSON, in seconding the Motion, said he was sure if the House was aware of the evils which arose from transferring large bodies of destitute poor in seasons when trade was depressed, from the manufacturing to the rural districts, it would pause before it agreed to the Motion of the hon. Member for Malton. He would therefore cordially second the Motion of the hon. Member for Finsbury, as he was perfectly satisfied that the only way to give entire satisfaction would be for Parliament to abolish all law of settlement whatever.

Mr. BRIGHT said, the hon. Member for Finsbury had made a speech, from which he was at a loss to discover whether the hon. Member desired most to oppose the Bill, or the Amendment of the hon. Member for Malton, or to aim a blow at the manufacturers. The hon. Member had gone down, it appeared, to the manufacturing districts last week, his object probably being to foment the trades union differences there. The hon. Member stated that the working classes in the manufacturing districts cared very little about the free-trade movement which had latterly been in progress; and the hon. Member stated, moreover, that the change about being made would be a great benefit to the working classes. Now, if the change was to be a great benefit to them, and yet if they cared nothing about it, he would like to know who were the parties who had been instrumental in promoting that apathy. Was it the advocates of free trade, or the hon. Member for Finsbury himself and his friends? But he would deny the existence of any such apathy on the part of the working classes. He believed, on the contrary, that they felt the greatest possible interest in the success of the free-trade movement, andthat if there was anything which more than another had contributed to the success of that movement, it was the cordial understanding which existed with regard to it between the manufacturers and the operatives during the last twelve months. He believed that cordial understanding had a great effect in bringing that House to feel that a repeal of the Corn Laws could be no longer resisted. The hon. Member said that the great capitalists cared very little about their workmen; but was it not a fact which could not be disputed, that wherever the largest capital was expended in the establishment and management of a factory, the operatives were best provided for. Any one who had been down in the manufacturing districts must know, that wherever there was a large factory established, involving the expenditure of vast capital, there was more attention paid to the comfort, to the education, and to the general improvement of the operatives, than where there were small establishments; and yet, in the fact of this fact, the hon. Member pandered—for it was nothing less—to the prejudices of ignorant persons, by speaking to the disadvantage of the large capitalists in regard to their treatment of the working classes. The hon. Gentleman said, that when distressing times came these large capitalists did nothing for the operatives;

but the hon. Gentleman should know, that in the very years to which he referred, the large manufacturers of Lancashire and Yorkshire had worked three entire years for nothing, without producing any profit whatever to their owners, and merely in order that the working classes might obtain employment. The hon. Member might, if he wished, refer to Stockport, but he would find that such had been the case there; and he would learn also that at Halifax, the largest concern there, an establishment that payed in wages 120,000*l.* a year, or 360,000*l.* for these three years, did not, in all that time, return one single sixpence to the income tax. He hoped the noble Lord the Member for Lynn, who appeared to doubt the statement, did not think so badly of human nature as to suppose that such a case as this was not possible. He could tell the noble Lord that it was possible and true; and though there might not be similar cases in which the employment given, without any return, reached to such an enormous amount, yet he knew that there were scores, and he believed there were hundreds, of cases in which very large sums had been paid in wages, and where the manufacturers had not received one sixpence profit during the entire period of that distress. The hon. Gentleman objected to the instruction proposed by the hon. Member for Malton, and the hon. Member proposed what he thought was much worse. The instruction of the hon. Member for Malton might be adopted, and yet the Bill could pass, and be of considerable importance to the poor; but if the Amendment of the hon. Member for Finsbury passed, it was clearly impossible that anything further could be done this year. Now, when the Settlement Bill had been proposed two years ago, he objected to it, because he believed it was unjust for a majority of that House to compel the large towns to support a population which the House prevented the manufacturers in those towns from employing. But now, when that objection did not lie, and when the Corn Law was to be abolished, he believed there was not one of the manufacturers in that House who would be found to vote against this Bill. The poor rate was not considered in the manufacturing districts to be such a burden as it was regarded by the agriculturists. The people there were so well employed, and there was consequently such little demand for poor rates compared with the amount of property, and the people had, besides, such a horror of being sent to their parishes, dreading that they might never come from them again, that the manufacturers never thought it necessary to come to that House to look for relief from the burden of the poor law. [Mr. T. S. DUNCOMBE: You relieve yourselves by removing the poor.] The hon. Member alleged that they relieved themselves by removing the paupers from among them; but if the hon. Member inquired, he would find that it was to countries where no law of settlement existed that the majority of the paupers who were removed had been sent. They had been removed to Ireland and to Scotland in the proportion at least of two-thirds, if not three-fourths, of the entire number sent away; and was it to be supposed that when landlords in Ireland and in Scotland cleared their estates, without being subjected to any additional burden for the support of the poor people expelled, that the manufacturing towns were to take the maintenance of these poor persons upon them, at the same time that these very landlords were preventing them from giving employment to the people? He asked them, was it rational that they should allow these towns to be eaten up, as the hon. Gentleman admitted that Stockport had very nearly been in 1842? The hon. Member complained, in the next place, of there being no return made of the number of years that each person removed had been living in the town; but it was very often very difficult to find out the length of time a person had resided in the district; and it was, besides, possible that no memorandum might have been taken at the time the paupers were examined. But as to Stockport, he could tell the hon. Gentleman that there was a return, or rather a report, made with regard to that town in 1842, by Commissioners sent down by the Government. That report bore testimony to the character both of the employers and employed. It showed that nearly half the employers were ruined: and was not such a state of things some excuse for the steps that were taken to send back paupers to their parishes? But was there not something in the fact that these agriculturists themselves would rather starve in the streets of Stockport than be sent back to their parishes—that such was their dread of being sent away, they would not ask for relief while there was the least chance that such might be the result? Stockport was the very last town in the kingdom that the hon. Member for Finsbury should have cast a slur upon in that House. The

hon. Gentleman had, he would repeat, shown himself extremely active during his speech that night in his desire to throw an imputation on the town of Stockport. He was sorry that his hon. Friend the Member for Stockport was not present; if he were in the House, he would no doubt have something to say in defence of Stockport, did his hon. Friend think a defence needful. The hon. Member for Finsbury was not justified in putting himself forward as the organ of the working classes of the manufacturing districts. Whether in or out of that House, the associates of the hon. Gentleman were the greatest opponents of freedom and commerce. Their views should not, therefore, be taken as those of the people of this country, of whom they formed but a mere handful. [Mr. DUNCOMBE: Name my associates.] The hon. Member asked him to name his associates; but he could tell the hon. Member that those with whom he was found at public meetings, and with whom he had associated for years past, did not represent the feelings of the people of England. [Mr. DUNCOMBE: Name them.] It was unnecessary. They were well known already. But he could repeat that the hon. Gentleman did not state the opinions of the working classes in that House, when he said they were indifferent to the settlement of this great question. Though there might be some portion of the working classes among whom the hon. Gentleman was popular, and though he might possess influence to stimulate the bad passions of trades unions, yet these circumstances gave him no right to put himself forward as speaking the opinions of the operatives of Lancashire and of Yorkshire.

LORD G. BENTINCK: Sir, the hon. Gentleman who has just sat down has endeavoured to reflect on the agricultural interests. In answer to the charges made by my hon. Friend against the millowners of Stockport and other manufacturing towns, the hon. Gentleman has appealed to the reports of the Government Commissioners sent down to Stockport, as affording evidence of the good conduct of the millowners and manufacturers when labouring under great depression; but I think the hon. Gentleman must have remembered the report made by Mr. Trimmer, one of the Factory Commissioners, who, in speaking of the injuries done to the operatives in the factories in Stockport, says there were in the years 1837, 1838, and 1839, no less than 340 cases of persons in the infirmary of Stockport suffering from the injuries which they had received while at work in the factories of that town. Out of these 340 persons no less than forty had been injured in attending the engines whilst in motion. He says he was at great pains to ascertain what the millowners and manufacturers had done towards compensating the operatives for the injuries they had received; and he reports that out of the 340 cases there were but two single instances in which the manufacturers and millowners had made any compensation for the injuries done to those who had been injured. Where could an example be found in the agricultural districts of three hundred and forty persons being seriously injured, and two only receiving compensation? I should have thought that if there were any man in this House who had a right to say he knew something of the feeling of the operatives, it was my hon. Friend the Member for Finsbury. Upon what interest is he returned to this House? Is it on the interest of the millowners, or is it on the interest of the landed aristocracy? Is he not especially returned by a constituency consisting of the lower classes —of the working classes? Therefore, I think we have a right to take the opinions of the hon. Member for Finsbury as affording a just criterion of the feelings of the operatives of the country. And I do believe he has told the House the truth when he told you that the operatives took no great interest in the question mooted between the agricultural and the manufacturing interest. Sir, I do not believe that the operatives are free traders. They knew full well that those free-trade measures are intended merely to benefit the millowners. The operatives know that the object of those measures is, by making bread cheap, to reduce wages to the continental level, and that is the reason why the operatives, who have become well instructed, do not side with the millowners; that is the reason why the operatives do not side with those cotton lords—with those Manchester politicians, who wish to beat down the industry of this country, and encourage that of foreign countries. I shall oppose the Motion of my hon. relative, for it appears to me that the adoption of his instructions would be the greatest injustice on the outside parishes, particularly in those unions where large towns suddenly spring up. The second Clause of those instructions recommended that the rate should be

fixed according to the average of the last seven years, and that that mode of fixing the rate is to continue for ever. This is a sort of plagiarism on the Tithe Commutation Bill. The proportion of charge is always to remain the same; so that if one parish shall rise in value from 10,000*l.* to 200,000*l.* a year, another parish which does not at all improve in value is to be made subject to the rate increased by the towns that may so grow up. The result of this arrangement must be, that in a union containing from twenty-three to twenty-five parishes, the parish which is in an uncultivated and barren district, and did not improve, would be entirely eaten up by the increased rate created by the multitude that might have flocked from some distant parish of the union. For these reasons I shall oppose the proposition of my hon. relative. With respect to the proposal made by my hon. Friend the Member for Finsbury, I think there is so much of justice and humanity in it, that, although there is something in it with which I cannot fully agree, I think we ought not to decide on it in such a thin House, and without giving it further consideration. I trust, therefore, we shall come to no decision to-night, but adjourn the consideration of the Amendment he has brought forward till some later occasion. It was stated to-night by the right hon. the Secretary of State for the Home Department, that the Government never held forth the idea that they were going to alter the law of settlement. The hon. Member for Finsbury has read a part of the speech of the right hon. Gentleman on bringing forward his measure this year in answer to that statement; and I appeal to the House and to the country, whether, until this Bill was laid on the Table of the House, the country was not altogether under the impression that we were going to have a new law of settlement? Why, the hon. Member for Broconshire charged us with delaying, by our opposition to the Corn Bill, the measure for the benefit of the poor. He said we were delaying a measure which was to prevent all the cruelties now committed for want of this new law of settlement. What pretence, then, is there for saying that it never was held out by the Government that it was their intention to widen the basis of the law of settlement? I agree altogether with my hon. Friend the Member for Finsbury, that justice requires that the property of the country should contribute more largely to the support of the poor. I believe that the poor who have been worked out by the cotton manufacturers and millowners should not be hunted back in their old age to the parishes in which they were born. I agree with my hon. Friend that the poor man feels no gratification, after he has passed his life with his wife and family in a manufacturing town, in being returned as a pauper to the agricultural parish where he was born but is forgotten. For these reasons I shall oppose the instruction to the Committee moved by my hon. relative the Member for Malton; and I trust the Amendment proposed by my hon. Friend will be postponed till a period when there shall be an opportunity of considering the matter more fully. I believe the proposition of the hon. Member will have the support of the country—at all events, it will of the working classes.

SIR T. D. ACLAND thought the Motion of the hon. Member for Malton entitled to the fullest consideration. It was, therefore, his intention to vote that the Bill should be considered in Committee, though he did not regard himself as bound to adhere to the provisions that either the hon. Member for Malton or any other Member might propose for attaining his object. The hon. Gentleman (Mr. E. Denison) proposed to rate the various parishes of a union, not according to the actual property of the individual ratepayers, but according to the proportion now existing, not disturbing that, but maintaining as between them the *status quo*. But the noble Lord had just stated that this measure would thus become injurious to those whom it was intended to benefit, and probably it would be necessary to find some means of reviewing occasionally the proportion to be contributed by each parish. Then, again, it was scarcely possible but that the parishes immediately adjoining increasing towns should have some share in the increased value of labour created by capital expended in those towns. Arrangements ought to be made with a view to such an increase of population. These were considerations to be gone into before the proposed instruction became law. But his (Sir T. D. Acland's) great object was, that the main intent of this non-removal law should be attained. It would be a great blessing to the labouring population, and its results would approximate at all events, and perhaps as far as possible, to the more valuable parts of the change that would be effected by an abolition of settle-

ment. The point most aimed at by Mr. Sturges Bourne was, that a three years' residence should be the only ground of settlement; and the fairness, the justice of the case, was, that the labourer who had produced the wealth of his employer should be relieved out of the resources to which he had contributed. This Bill was certainly a step in the right direction. It was another question, however, whether the instruction proposed by the hon. Gentleman (Mr. E. Denison) was not likely to delay the Bill and seriously hinder it, though it was the just corollary from the principle of non-removal, or making residence the principal ground of relief. It was said years ago by an intelligent and benevolent landowner who was examined upon this subject, and who was asked what he thought of a three years' residence settlement—"Why, the obvious difficulty is, that where the property of a parish is in few hands, and there is a large town near, you will find every cottage pulled down." The present proposition would meet that difficulty; but it was not indispensable that that point should be made part of this Bill. The right hon. the Home Secretary had intimated that he would not object to proceed with the Bill with the addition proposed by the hon. Gentleman (Mr. E. Denison); but at all events let the Bill pass, whether such further provisions as were expedient were made now or hereafter.

Mr. BANKES agreed with the hon. Member who had just sat down, that the adoption of the proposition of the hon. Gentleman (Mr. E. Denison) would almost infallibly upset the Bill on the present occasion, and consequently could not but feel surprise that the Members of the Government should give that proposition their support. The right hon. the Home Secretary had said that it was a proposition so distasteful to the country at large, so much disliked by the agricultural interest, that he had been compelled to abandon it before; and yet he was willing to make it part of a Bill, which was to be a premium (for the term "compensation" was now repudiated) to the agricultural interest for concessions they had made; and the hon. Member for North Devon seemed disposed to vote for this proposition, endangering, nay, insuring the rejection of a Bill to which he professed himself friendly. He was also friendly to some of the provisions of the Bill; but he would carry it further in Committee, disliking, with the hon. Member for Halifax, this new and anomalous principle, introduced for the first time into our Poor Law—a right of relief without a settlement. If there were doubts respecting a settlement being gained by residence, let those doubts be settled by an Act declaring that five years' or that three years' industrial residence should give a settlement; and he himself would propose an instruction, if necessary, that it should give a settlement, and not a mere right to relief, irremovable. This latter would be, in reality, no boon at all. Supposing an operative removed, in spite of the proposed law, from a manufacturing town, when no longer wanted, after working there for three or five years; who was to resist the removal? The pauper would have no funds for the purpose, nor would it be worth the while of the parish to which he was sent to spend money in contesting the question, because a decision upon it (unlike a decision at present on a settlement question) would fix nothing; it could not fix him to be settled in the manufacturing town, and if sent back there he might be removed again. Therefore, instead of having nothing but this new undefined right of relief, let it be accompanied, as at present, with a settlement. But the hon. Member for Durham had boasted largely of the indifference of the manufacturer to the payment of rates. The fact was, that the manufacturers were in a very different position with regard to rates from those who possessed other sorts of property. The establishments from which they gained their enormous fortunes were not rated with respect to the profits they derived from them; and, with regard to their stock in trade, a Bill was passed every year to exempt them; a Bill which, by the by, hon. Members would pass now, besides looking to a very different mode of rating such property in future. With regard to the proposition of the hon. Member for Finsbury, he (Mr. Bankes) hoped, with the noble Member for Lynn, that there would be opportunity hereafter for considering so important a suggestion.

Mr. SPOONER had no wish to detain the House except to put himself right with the hon. Member for Finsbury. He assured that hon. Member that he was perfectly mistaken if he supposed that he entertained the slightest objection to the principle of the Bill proposed by the right hon. Baronet, namely, that an industrial residence of five years should give the people so residing an exemption from removability. This was a principle which he re-

garded as just and sound, and he should give it his cordial assent; and in saying this he believed he spoke the sentiments of the general manufacturing interest—who had no wish to send the people back to their original parishes upon the occurrence of a revulsion of trade, or when the people met with any misfortune; but they were obliged to do so by the present law. He knew not how the hon. Member for Finsbury imagined that he had formed a different opinion from that which he had just expressed. He had certainly seconded the Motion of the hon. Member for Dorsetshire to send the Bill to a Committee up-stairs, because he felt that many of the details of the Bill were exceedingly imperfect; and that they would be much better dealt with by a Committee up-stairs than by a Committee of the House. Had that Motion been adopted, he felt that the Committee would, by this time, have framed a Bill which the House would have been able and willing to entertain, instead of which they were only just entering upon the discussion of the Bill at this late period of the Session; and, if one might judge from the turn the debate had taken, with little chance of its being brought to a speedy conclusion. He should certainly give his vote in opposition to the proposal of the hon. Member for Malton. It was liable to many objections; many of those objections had been stated, and he should not trouble the House by repeating what had been said; but there was one objection which had not been stated, and in his mind it was a very strong one. It proposed to carry out the New Poor Law, which he regarded as quite unconstitutional; and it proposed to increase the power of the Commissioners in executing that law; and he was quite sure that the manner in which they had hitherto carried it out was too fresh, at least in one instance, in the recollection of the House to encourage them to increase those powers. He (Mr. Spooner) objected to extending the principle of the New Poor Law, and he objected to increase the power of the Commissioners; and, as he believed the proposition of the hon. Member for Malton would do both, he should give it his decided opposition. With respect to the suggestion of the hon. Member for Dorsetshire for carr-y ing out still further the principle of settlement, it was one which required deep and serious consideration. He should give it all the attention in his power; but he could not promise it his support, for it seemed to him to be the most disadvantageous to the paupers themselves.

SIR J. GRAHAM was anxious, in the first place, to express his surprise at the misconception into which the right hon. Gentleman (the Member for Northampton) had fallen. The hon. Gentleman had said, that he believed he (Sir James Graham) had stated, that if the proposition of the hon. Member for Malton were rejected, he should consider it expedient to proceed with the measure. He believed that he stated exactly the reverse. He had said that if the House should reject that proposition, still the measure was so advantageous on the whole that he should give it his earnest support. He quite agreed with the hon. Member for Birmingham, that the principle of the Bill was irremovability after a certain time. He agreed also with what had been stated on the other side of the House, as well as upon his own side, that the definition of residence was difficult, if not impossible. As the law now stood, residence was an indispensable ingredient in several descriptions of settlement; such as a settlement gained by hiring and service, or a settlement by estate. The noble Lord (Lord J. Russell) knew very well that the right of voting in many boroughs was, under the old law, vested in inhabitants resident therein; and yet that right, important as it was, had never been yet strictly defined by law. It might be possible, however, when they came to discuss the important clauses relating to this branch of the subject, to introduce words which would make good such a definition. With respect to the question mooted by the hon. Member for Worcester, he quite agreed with the sentiments expressed by the hon. Member for Birmingham. It would certainly simplify the measure greatly to make irremovability confer a settlement; but such an alteration would make a very important change in the character of the measure. If the House went a step further than it was proposed by the present Bill to go, and created a settlement in the place of irremovability, from that settlement would flow derivative rights. This change, therefore, would open the door to a question of immense magnitude. It would, as he had said before, simplify the whole question very much, but a very great and important change would be introduced. There was one more point on which he was anxious to say a few words. The hon. Member for Dorsetshire, and some of the Gentlemen who were sitting near him, appeared to

think that he (Sir J. Graham) had not acted with good faith in respect to this measure, because he was willing to adopt the instruction proposed by the hon. Member for Malton. The hon. Member for Dorsetshire said that this instruction would place the measure, with reference to the more important parts of it, in much the same position as the Bill which was introduced last Session. Since last Session, however, he (Sir J. Graham) had reason to believe that the propositions which had been made were become more acceptable to a large portion of the House than they had been previously, and that the eyes of some hon. Members were opened to the extreme hardship which would fall on many persons if they were only irremovable from a particular parish. There were many parishes in which the property in the land belonged solely to one or two landlords, and had been in their possession for many years, the effect of which had been to diminish the number of residents in those parishes, while the parties who cultivated the soil resided in small neighbouring parishes, where the property in the land was much subdivided. Now, irremovability, unaccompanied by the principle embodied in the instruction proposed by the hon. Member for Malton, would make these persons chargeable to the small neighbouring parishes, while they ought to be maintained by the parishes of the large proprietors. It had been objected by hon. Members that he had not proposed the alteration which was contemplated by the hon. Member for Malton; but as he had now reason to think that this alteration was not so distasteful to the House as it was in the earlier part of last Session, he could not, believing the principle involved in the alteration to be sound, hesitate to support it himself. He believed that if the instruction should be adopted, not more than six or seven days would be required to make the proposition conformable with the other parts of the Bill. With regard, however, to the belief that on the part of the Government there was any disposition to defeat the progress of this measure, he must give a solemn disclaimer to any such intention. He was most anxious to carry the measure, and to carry it without delay. With reference to the proposition of the hon. Member for Finsbury, who suggested that the law of settlement should be entirely abolished, he hoped that the hon. Member would be content with placing his opinion on record, without pressing it further. He hoped that the hon. Member would look at the second clause in the Bill, which would remove all doubt on the subject, and which declared what the existing law was. It enacted that the overseers of every parish should take order for the relief of every poor person found destitute therein, but not settled therein, in like manner as if he were settled. He would only assure the House, in conclusion, that whether the instruction of the hon. Gentleman the Member for Malton should be carried or not, he was most anxious that the present Bill should pass into a law.

MR. BROTHERTON said, that his plan was, that rich parishes should contribute to the relief of the poor, by whose labour they had been benefited. As to the term "industrial residence," he could not understand it, though he could understand what was meant by residence.

LORD J. RUSSELL observed, that before he went to a vote on this measure, he wished to guard himself, as his hon. Friend the Member for North Devon had done, against being bound thereby to any future vote. The question before the House was a very difficult one, and certainly the difficulty had not been diminished by the course which the right hon. Gentleman (Sir James Graham) had taken. He believed the House was generally agreed on one point, namely, that when a man had for many years laboured in a particular parish, he should not be sent, when incapable of labour, to a different parish in which he might have been born. The right hon. Gentleman proposed in his Bill that this should be done by making persons who had resided five years in a parish irremovable. Upon this his (Lord J. Russell's) hon. Friend stated that there were certain localities in which such a provision would tend to the clearing of estates, the pulling down of cottages, and throwing an undue burden on the populous parishes in the neighbourhood. In these cases great hardships would be introduced by the Bill. But when his hon. Friend proposed to remedy these evils by a union instead of a parochial settlement, he owned that he felt such a strong objection to the proposal, that he did not think that he should, but for the course taken by the right hon. Gentleman, have made up his mind to give his vote in favour of the proposition. The House would recollect that there were many parishes in which there was a great accumulation of labour, which was only provided for at present by the good management, prudence, and humanity of those

who resided within those parishes. It was no answer to say that the administration of poor relief vested with the board of guardians, because every parish in the union would consider what burdens would be imposed on them, and would provide accordingly. If they changed all that, and declared that for the future relief should be given in the union, and that there should be a union and not a parochial settlement, he owned that he dreaded the effect which such a declaration and such an enactment might have upon labour. He did not feel satisfied if this declaration took place, whether those who now felt it incumbent upon them to provide employment would not cease to do so, and whether there would not be such a displacement of labour that the working classes in particular districts would feel the alteration to be an injury and a hardship instead of a benefit. Supposing, however, this difficulty not to be so great as he took it to be, there might still be great practical difficulties in the way. His hon. Friend the Member for Malton proposed that the rates should be levied according to the average amount of the expenditure in each parish for a certain number of years. Inequalities might exist, and although his hon. Friend might contrive some remedy for this, it must require a complicated remedy. There were also other difficulties. The case might be taken of a parish imprudently managed, where the rates had been allowed to increase in consequence of the want of employment for labour, and where now a better state of things was springing up—it would surely be unjust to load the inhabitants of that parish with the consequences of their past mismanagement. At the same time, when the right hon. Gentleman, on the part of the Government, declared that he wished the instruction of his hon. Friend to be carried, he thought it but just that the right hon. Gentleman, who had in fact become the maker of this proposal, should be allowed to take the instruction with him into the Committee as he thought proper. The real practical proposition before the House was, that when they went into Committee the right hon. Gentleman should alter the whole frame of the Bill, and make another Bill in conformity with the instruction which he had adopted. The right hon. Gentleman must perceive that the proposition of his hon. Friend the Member for Malton, which was for the present year new to the country, being the proposition which in other years had met with great opposition, ought to receive much consideration; and he must see that the mere insertion of his clauses in the Bill by no means settled the question. The country at large, which expressed so many objections before to the proposition, must have the opportunity of considering the question as a new Bill. He had said that he did not object to the course which the right hon. Gentleman thought proper to follow. He thought that when so many difficulties were in the way, the last chance which the House would have of obtaining a good measure was, by taking, in the first instance, the course which the Government recommended. Though the right hon. Gentleman had changed his mind so many times on this subject, and had proposed at one time a birth settlement, and at another a union settlement; and now proposed to alter entirely the principle of the measure which he had introduced during the present Session—though the right hon. Gentleman had done this, he was far from saying that he thought it extraordinary that the Government should hesitate on a subject of such vast importance to the people. He certainly recollected the time when the right hon. Gentleman laid down a rule, without which, he said, a Government was entitled to no confidence whatever. He said that the Government were bound to take into consideration all the questions connected with the relief of the poor, and to weigh all the facts which bore upon them carefully, but that they ought not to introduce any measure on such a subject to the House unless they were persuaded that it was the best possible scheme that could be devised. Experience, he thought, must since have convinced the right hon. Gentleman that his judgment, though so solemnly delivered, though so very oracular, was rather harsh towards those who preceded him in office. For his own part, he wished to have all the information that could be obtained upon the subject. The law was one which, in itself, had been much misunderstood. The hon. Member for Birmingham objected to the instruction, because it carried further, as he said, the principle of the New Poor Law. He (Lord John Russell) did not think it a necessary consequence of the New Poor Law that this principle should be adopted. He thought that the New Poor Law had operated for the benefit of the working classes, and not to their injury; and year after year would induce them to come over to this opinion. In

giving, however, his vote for the instruction of his hon. Friend near him, if, upon further consideration he should think that the principle of a union settlement was objectionable, he should feel at liberty to revert to the Bill in its present shape.

Lord JOHN MANNERS said, that although he agreed with what had fallen from the noble Lord (Lord John Russell), the Member for the city of London, he thought that his noble Friend had been rather severe upon the right hon. Gentleman the Secretary for the Home Department, in charging him with having changed his opinion. The right hon. Gentleman had informed them that he had brought in a Bill last year which he considered to be a sound one, but that he had to withdraw it, because the country did not approve of it, and that he had during the present Session introduced another Bill, although he considered it to be unsound, for the purpose of meeting the wishes of the country; and that he had now fallen back upon his original proposition, finding that it was likely to be approved of — therefore he (Lord J. Manners) thought that his noble Friend was rather severe upon the right hon. Gentleman in charging him with having changed his opinion. He wished to call the attention of the House to the state in which hon. Members might be placed, who would too implicitly rely upon the Government carrying all measures with the same reckless regard of consequences as they had shown in pressing forward a measure on a late occasion. What would be thought, he asked, of the manner in which the right hon. Gentleman the Secretary for the Home Department had come forward on the part of the Government, to the aid of the Motion of their professed opponent of the measure then before the House? Whatever might be the advantages or the disadvantages of the Motion of the hon. Member for Malton, he was not then prepared to accede to it, as he was much more disposed to agree with the Amendment of the hon. Member for Finsbury, and should he press for a division, he would support him with his vote.

Mr. BORTHWICK rose for the purpose of moving that the debate should then be adjourned, as many Members had left the House, under the impression that the Amendments upon the Paper in reference to that Bill should be considered on going into Committee; and as he was satisfied that they would desire to express their opinions upon those amendments, he thought that his proposition should be agreed to. He believed that it was competent for the noble Lord (Lord John Russell), or any other hon. Member, to vote for the motion of the hon. Member for Malton, and afterwards oppose it in Committee; but still he thought that such a course would have the effect of creating false impressions in the country. He did not rise for the purpose of making any observation upon the merits of the measure, but simply that the debate should then be adjourned.

Mr. DUNCOMBE wished to say a few words as to the Amendment he thought it his duty to propose. He never could have believed that hon. Gentlemen would have adopted the Motion of his hon. Friend; but having acted as they had done on this occasion, it was his opinion that they should not allow such a miserable tinkering of the question; because the course the Government had adopted was nothing less. If they were to know that those alterations would be made, let the House make them in accordance with the feelings and wishes of the people. It appeared that his observations—he knew not why—had excited the wrath of the hon. Member for Durham. The hon. Member said that if the repeal of the Corn Laws had depended on him and his party, it never would have been carried. It would not now have been passed. The hon. Gentleman was pleased to say that he (Mr. Duncombe) had gone down to the manufacturing districts for the purpose of fomenting dissensions between the employer and the employed, and of persuading the working classes, that the manufacturers did not seek for the repeal of the Corn Laws for the benefit of those classes. Well, he maintained that still. He said they did not seek the repeal of that law for the working classes alone. As to the charge, that if the repeal of this law depended on him, it would not now have taken place, he was sure he could see no reason why the hon. Gentleman should say so. For twenty years he had had a seat in that House, and for those twenty years he had ever voted for a repeal of the Corn Law. The hon. Gentleman had not condescended to say who were his (Mr. Duncombe's) associates, and he was sure he did not then know to whom the hon. Gentleman alluded. He had received several invitations to attend the League meetings, but he refused to go. He always had set his face against what were called "ticket meetings." He

always declared his willingness to attend meetings for public purposes, provided they were open meetings; and for that reason he had always resisted any invitation for attempting at genteel comedy at Covent Garden, and had refused to tumble with certain gentlemen at Sadler's Wells. An attempt had been made to call him to account in Finsbury because he did not go to tumble with these gentlemen at Sadler's Wells, or take part in their light comedy at Covent Garden. What was the result? He should be glad to go to any public meeting to ascertain public opinion. But those gentlemen had not submitted to public opinion. They needed not to have been afraid of discussion if their principle was right, as he believed it to be. They certainly had not looked to the interest of the working classes in the manufacturing towns, more particularly as regarded the removal of the poor in a state of destitution and want. His hon. Friend was wrong in the view he had taken; if he would go with him into the manufacturing districts, and hold a public meeting, he was willing to submit the case to the House and to the public. But to return to the question before the House. It was proposed the debate should be adjourned, and certainly, the opinion of the House appeared to be so unsettled, that an adjournment might perhaps be the best course. The noble Lord supported the Resolution, but said he would not pledge himself to any part of it. But as to the Bill itself, it was that which public opinion had condemned. What was the use, then, of allowing this Bill to be brought in? Here was an attempt, which they all saw, to tinker it; and to frustrate that attempt he certainly would take the sense of the House on his Amendment. If there were any other alteration to be made, or any Amendment proposed, it would be competent to any hon. Member to move it afterwards. But he said that the great principle involved was, that those who required relief should have it; and the House might depend on it that it was a matter of indifference to the poor and unfortunate whence relief was afforded, because it must be uniform. They could not do, therefore, a greater injustice than sending them about from parish to parish. They should be maintained by a uniform assessment on the property of the county, and the poor man should be enabled to say, "The State is my union," and not the miserable system of parishes and unions which was now held forth in this country.

Motion for the Adjournment withdrawn.

The House divided on the Question, that the words proposed to be left out stand part of the Question:—Ayes 105; Noes 59: Majority 46.

List of the AYES.

Acland, Sir T. D.	Langston, J. H.
Acland, T. D.	Lemon, Sir C.
Acton, Col.	Lincoln, Earl of
Arundel and Surrey, Earl of	M'Neill, D.
Baring, rt. hon. F. T.	Manners, Lord C. S.
Baring, rt. hon. W. B.	Marjoribanks, S.
Barrington, Visct.	Marshall, W.
Beckett, W.	Meynell, Capt.
Berkeley, hon. C.	Milton, Visct.
Bodkin, W. H.	Mitchell, T. A.
Bowles, Adm.	Moffatt, G.
Bright, J.	Morgan, O.
Broadley, H.	Morpeth, Visct.
Brocklehurst, J.	Neville, R.
Brotherton, J.	Ogle, S. C. H.
Bruce, Lord E.	Pakington, J. S.
Buller, C.	Parker, J.
Cardwell, E.	Peel, rt. hon. Sir R.
Carnegie, hon. Capt.	Peel, J.
Clay, Sir W.	Plumridge, Capt.
Clerk, rt. hon. Sir G.	Rice, E. R.
Clive, hon. R. H.	Russell, Lord J.
Cockburn, rt. hn. Sir G.	Sandon, Visct.
Colebrooke, Sir T. E.	Scott, R.
Corry, rt. hon. H.	Scrope, G. P.
Cripps, W.	Seymour, Lord
Damer, hon. Col.	Shelburne, Earl of
Dickinson, F. H.	Smith, B.
Douglas, Sir C. E.	Smith, rt. hon. R. V.
Dundas, D.	Smythe, hon. G.
Easthope, Sir J.	Somerset, Lord G.
Escott, B.	Stanley, hon. W. O.
Estcourt, T. G. B.	Stansfield, W. R. C.
Fitzroy, hon. H.	Stanton, W. H.
Flower, Sir J.	Stuart, H.
Forster, M.	Strutt, E.
Goulburn, rt. hon. H.	Sutton, hon. H. M.
Graham, rt. hon. Sir J.	Tancred, H. W.
Granger, T. C.	Thesiger, Sir F.
Heathcoat, J.	Thornely, T.
Herbert, rt. hon. S.	Thornhill, G.
Hervey, Lord A.	Tollemache, hon. F. J.
Hill, Lord M.	Troubridge, Sir E. T.
Hobhouse, rt. hon. Sir J.	Vesey, hon. T.
Hope, G. W.	Villiers, hon. C.
Horsman, E.	Villiers, Visct.
Hotham, Lord	Wellesley, Lord C.
Howard, hon. C. W. G.	Wood, C.
Howard, P. H.	Wortley, hon. J. S.
Hume, J.	Wrightson, W. B.
James, W.	Young, J.
Jermyn, Earl	TELLERS.
Jolliffe, Sir W. G. H.	Denison, E. J.
Kemble, H.	Hawes, B.

List of the NOES.

Allix, J. P.	Bridgeman, H.
Arkwright, G.	Carew, W. H. P.
Balfour, J. M.	Chelsea, Visct.
Bankes, G.	Christie, W. D.
Bentinck, Lord G.	Christopher, R. A.
Beresford, Maj.	Chute, W. L. W.
Borthwick, P.	Clifton, J. T.

Clive, Visct.
Duke, Sir J.
Duncan, G.
Egerton, W. T.
Ewart, W.
Fitzroy, Lord C.
Fuller, A. E.
Gladstone, Capt.
Granby, Marquess of
Hall, Sir B.
Hastie, A.
Henley, J. W.
Hildyard, T. B. T.
Hinde, J. H.
Hudson, G.
Hussey, T.
Inglis, Sir R. H.
Lawson, A.
Long, W.
Lowther, hon. Col.
Mackenzie, W. F.
Manners, Lord J.
Miles, W.
Napier, Sir C.
Newdegate, C. N.
O'Brien, A. S.
Packe, C. W,
Palmer, R.
Pechell, Capt.
Rashleigh, W.
Repton, G. W. J.
Seymer, H. K.
Sibthorp, Col.
Sotheron, T. H. S.
Spooner, R.
Stanley, E,
Stuart, J.
Tower, C.
Trelawny, J. S.
Trollope, Sir J.
Vyse, R. H. R. H.
Waddington, H. S.
Williams, W.
Wood, Col.
Yorke, hon. E. T.

TELLERS.

Duncombe, T.
Johnson, Gen.

The House divided again on the main Question, that it be an Instruction to the Committee that they have power to make provision for the establishment of Union Settlements:—Ayes 92; Noes 70: Majority 18.

List of the AYES.

Acland, Sir T. D.
Acland, T. D.
Acton, Col.
Arundel and Surrey, Earl of
Baring, rt. hon. F. T.
Baring, rt. hon. W. B.
Berkeley, hon. C.
Bowles, Adm.
Bright, J.
Broadley, H.
Brocklehurst, J.
Brotherton, J.
Bruce, Lord E.
Carew, W. H. P.
Carnegie, hon. Capt.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Clive, hon. R. H.
Cockburn, rt. hon. Sir G.
Colebroke, Sir T. E.
Corry, rt. hon. H.
Damer, hon. Col.
Dickinson, F. H.
Douglas, Sir C. E.
Dundas, D.
Easthope, Sir J.
Escott, B.
Flower, Sir J.
Forster, M.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Hanmer, Sir J.
Heathcoat, J.
Herbert, rt. hon. S.
Hervey, Lord A.
Hill, Lord M.
Hobhouse, rt. hon. Sir J.
Hope, G. W.
Horsman, E.
Hotham, Lord
Howard, hon. C. W. G.
Howard, P. H.
Hume, J.
James, W.
Jermyn, Earl
Jolliffe, Sir W. G. H.
Langston, J. H.
Lincoln, Earl of
M'Neill, D.
Manners, Lord C. S.
Marjoribanks, S.
Marshall, W.
Meynell, Capt.
Milton, Visct.
Mitchell, T. A.
Moffatt, G.
Morpeth, Visct.
Neville, R.
Ogle, S. C. H.
Pakington, J. S.
Parker, J.
Peel, rt. hon. Sir R.
Peel, J.
Plumridge, Capt.
Rice, E. R.
Russell, Lord J.
Sandon, Visct.
Scott, R.
Scrope, G. P.
Shelburne, Earl of
Smith, B.
Smith, rt. hon. R. V.
Smythe, hon. G.
Somerset, Lord G.
Stanley, hon. W. O.
Stansfield, W. R. C.
Stanton, W. H.
Stuart, H.
Strutt, E.
Sutton, hon. H. M.
Tancred, H. W.
Thornely, T.
Thornhill, G.
Tollemache, hon. F. J.
Trelawny, J. S.
Troubridge, Sir E. T.
Vesey, hon. T.
Villiers, hon. C.
Wellesley, Lord C.
Wood, C.
Wortley, hon. J. S.
Young, J.

TELLERS.

Denison, E. J.
Hawes, B.

Dist of the NOES.

Allix, J. P.
Arkwright, G.
Barrington, Visct.
Beckett, W.
Bentinck, Lord G.
Beresford, Maj.
Bodkin, W. H.
Borthwick, P.
Bridgeman, H.
Buller, C.
Christie, W. D.
Christopher, R. A.
Chute, W. L. W.
Clifton, J. T.
Clive, Visct.
Cripps, W.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Egerton, W. T.
Estcourt, T. G. B.
Ewart, W.
Fitzroy, hon. H.
Fitzroy, Lord C.
Fuller, A. E.
Gladstone, Capt.
Granby, Marq. of
Granger, T. C.
Hall, Sir B.
Hastie, A.
Hildyard, T. B. T.
Hinde, J. H.
Hudson, G.
Hussey, T.
Inglis, Sir R. H.
Johnson, Gen.
Kemble, H.
Lawson, A.
Long, W.
Lowther, hon. Col.
Mackenzie, W. F.
Manners, Lord J.
Miles, W.
Morgan, O.
Napier, Sir C.
Neeld, J.
Newdegate, C. N.
O'Brien, A. S.
O'Connell, J.
Packe, C. W.
Palmer, R.
Pechell, Capt.
Rashleigh, W.
Repton, G. W. J.
Seymer, H. K.
Seymour, Lord
Sibthorp, Col.
Sotheron, T. H. S.
Spooner, R.
Stanley, E.
Stuart, J.
Tower, C.
Trollope, Sir J.
Villiers, Visct.
Vyse, R. H. R. H.
Waddington, H. S.
Williams, W.
Wood, Col.
Wrightson, W. B.
Yorke, hon. E. T.

TELLERS.

Bankes, G.
Henley, G. W.

On the Question that the Speaker do leave the Chair,

SIR R. INGLIS said, he would not take the trouble of inquiring to whom the largest share of blame was to be imputed for the state in which the Bill then was—he would not stay to inquire whether it were owing to the conduct of Her Majesty's Government in deserting the Bill, or to the noble Lord the Member for London in giving his powerful support to a principle in which he expressed his want of sympathy; or whether it might rest on those who—consistent, at all events—had refused to support the propositions of the hon. Member for Malton. It was proposed to go into Committee *pro formâ*, though they knew the principle of the hon. Member for Malton could not be carried into effect this present Session, even if it were admitted to be feasible. The Bill would be

entirely altered by the effect of the Amendment, and it would be hardly possible to effect the Parliamentary alterations in less time than the discussion on the Bill could be reopened.

MR. T. DUNCOMBE said, that the Bill had now become the Bill of his hon. Friend; and he would ask if the hon. Gentleman was prepared to bring forward his clauses at that moment? It was proposed that the Government should introduce the alterations in the Bill; but were there not others who might wish to move instructions with a view to amendments in the Bill. The Irish Coercion Bill had been fixed for Monday; but in his opinion they would be better employed on Monday, in discussing a Bill the object of which was connected with the relief of the poor in England, than in proposing a Coercion Bill for Ireland; and he would move that this Bill should have precedence on Monday.

MR. HENLEY objected to proceeding with the Committee of the Bill at twelve o'clock at night. It would look like a fraud to the people of England to proceed at that hour, and without further consideration, with clauses affecting the rating, which was the whole gist of the Bill. The proposition to alter the Bill ought to be for some time before the country, in order that the people could express their opinion of it when a Bill was to be proposed totally different from that which the Government had brought forward at the commencement of the Session; to proceed at once with a measure of which the country had no intimation, would be looked upon by the country as a fraud.

SIR J. GRAHAM observed, that he had no intention of deserting the measure for which he stood responsible. He had been exposed to the taunts of both sides of the House; but these would not induce him to relax in any course he might consider it his duty to follow. The hon. Member for Oxfordshire had, for one, used expressions towards him which he thought scarcely warranted by the usages of debate or of that House. Of that, however, he wished to say nothing more. He had a suggestion to make with reference to the measure now before the House, which he would offer to the hon. Member for Malton, and if accepted, he thought ultimately it would prove for the benefit of all parties. The suggestion was this, that the House would allow the further discussion of the Bill to stand over until Monday. In the interval he should have an opportunity of conferring with the Gentleman who had carried the instructions. That Gentleman would then make known his clauses, and on which both would no doubt agree. He would be answerable for the introduction of the clauses, and he would then ask the House to go into Committee *pro formâ* on Monday, when a day could be fixed for further progress.

COLONEL SIBTHORP observed, that the right hon. Baronet who had just sat down stated he had not deserted the Bill; but he was of opinion that he had not only deserted the measure, but that such desertion had not been his first. He had seen in the division that night a Lord of the Treasury and a Lord of the Admiralty voting on different sides of the House. He was not aware those official persons ought to have been found where they were seen. The Government would, perhaps, think so, as respected one at least. For himself, he was glad to find that hon. Gentlemen were sufficiently independent to exercise their own opinion; and he trusted that they would eventually resolve to shake off their subserviency in other matters.

Committee deferred till Monday.

ROYAL OBSERVATORY, GREENWICH.

SIR R. INGLIS would ask the right hon. Baronet at the head of the Government whether he had obtained any report as to the injury which it was feared might be caused to the Royal Observatory at Greenwich, by the construction of a railway, the Bill for which was before the House? He was desirous to know if the right hon. Baronet would object to lay any such report on the Table to-night. If the report had not as yet been received, he hoped the hon. Member who had charge of the Railway Bill would postpone the second reading until the report was in the hands of Members.

SIR R. PEEL said, that at an earlier period of the evening he was informed that one or two reports had been received; but he had just been informed that all the reports had been received, and were in possession of the Admiraity, and he had no doubt that he would be able to lay them on the Table on Monday. He trusted that the hon. Member who had charge of the Railway Bill would postpone the second reading until the Members of the House had an opportunity of reading those reports.

COMMERCIAL MARINE.

Sir G. CLERK moved for leave to bring in two Bills, which were founded on the report of a Select Committee to which the subject of regulations relating to shipping had been referred. The first Bill was to require that all merchant ships should carry a certain number of boats according to their tonnage; and, with regard to steam-vessels, the regulations which the Bill would embody had been submitted to the directors of the General Steam Navigation Company, and they had stated they had no objection whatever to them. Those regulations would require that the holds of steam-vessels should be divided into three compartments, separated by water-tight bulkheads. He also proposed to introduce regulations, to be enforced under a penalty, respecting the manner in which steam-vessels should pass each other, in order to prevent as far as possible the danger of collision; and he meant to give power to the Admiralty to enforce regulations, with a view to steam-vessels using certain lights during the night, and also providing that a report be annually made to the Board of Trade, by a competent engineer, as to the condition and sufficiency of the machinery of those vessels, and a similar report respecting the vessel itself by a competent shipwright, and stating if any accident had happened to either. The other Bill referred to the preservation of wrecked property, and to the amendment and consolidation of the laws upon that subject. To remove all doubts as to the rights of various parties to wrecked property, he proposed to vest the trusteeship of such property in the receivers of the droits of the Admiralty, so as to enable parties preferring any claims to it to establish those claims; and that for one year it should be open to the owners of wrecked property to advance their claims to it; if after that period had elapsed no claims were put forward by the owners, then the rights of the lord of the manor where the wreck had been cast ashore should be considered. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Leave given. Bill read a first time.

House adjourned at half-past Twelve o'clock.

HOUSE OF LORDS,

Monday, June 8, 1846.

Minutes.] Public Bills.—3ª and passed. Viscount Hardinge's Annuity (No. 2); Friendly Societies.

Petitions Presented. From the Parochial Authorities of the Parish of Saint Botolph without Aldersgate, against the Transaction of Business on the Sabbath.—From Board of Guardians of the Reeth Union, complaining of the Costs attending the present System of the Law of Settlement and Parish Appeals, and in favour of the Principle that a Month's Residence be deemed a Settlement.—From the City of London, and several other places, for the Establishment of Public Baths and Washhouses.—From Cupar, and other places, in favour of the Corn Importation and Customs Duties Bills.—From Durham, Leeds, and Bridgwater, in favour of the Corn Laws.—From Minister and Congregation of the Presbyterian Chapel, York Street, Belfast, for the Abolition of Capital Punishments.—From Birmingham, for the Employment and Reformation of Discharged Prisoners.—From Physicians and Surgeons of the County of Cork, for the Better Regulation and more Efficient Support of Medical Charities (Ireland).

PUBLIC BATHS AND WASHHOUSES.

The Bishop of LONDON, on rising to present certain petitions respecting the institution of Baths and Washhouses for the Poor, said, that he was quite aware how difficult it was to attract attention at the present moment to subjects not connected with the great questions which now occupied the public mind; but the petitions he had to present were important, not only from the signatures which they bore, but from the subject to which they related. That subject nearly concerned the moral as well as physical welfare of the humbler classes of the population, affecting their moral welfare through their physical state; and, as such, he was sure it would meet with due attention from their Lordships. He wished to call their Lordships' attention to the advantage and importance of the establishment of baths and washhouses for the labouring classes; and the object of the petitions he was about to present was, to pray their Lordships to pass a Bill (which he had reason to believe would be shortly submitted to them) to enable parishes to borrow money on the security of the rates for the purpose he had mentioned. With respect to the interest of the money thus loaned, he apprehended that these institutions would amply repay the interest of the capital to be expended upon their establishment; but, even if no interest were to be returned, still the country would derive a great profit in the increased physical comfort and the improved moral state of the working classes. No one in the least acquainted with the subject could doubt how intimately connected with the good of the poor man cleanliness was. They must elevate the poor man from extreme destitution—they must take off from him the urgent pressure of misery before they could assail him, as a moral agent, with any chance of success. Without a change of

this nature he was convinced it was not possible to effect any important amelioration in the condition of the working man. Experience had shown such beneficial results from the institution, when tried on a small scale, as to justify the strongest hopes of the greatest advantages if it were generally brought into practice. The petitions he had to present to their Lordships were the following :—One from the chairman and deputy-chairman of a Committee for promoting the establishment of Baths and Washhouses for the Labouring Classes; another from bankers and merchants of the city of London, signed by the heads of more than 100 firms ; another from the chairman and deputy-chairman of the London Dock Company, employing several thousands of workpeople; another from the churchwardens, overseers, and guardians of the parish of St. Martin in the Fields; and another signed by 121 of the parochial clergy of London ; and the petitions dwelt upon the importance of habits of cleanliness to the poor, and the duty of giving them the means of forming those habits. The evils, as the petitioners stated them, of the overcrowded state of the poor in the metropolis and other large towns, were well known to him, and he thought that it was a subject which had not been sufficiently attended to. He might be allowed to add that the great improvements which had been made in London of late years had not lessened the evil ; on the contrary it was undoubtedly the case that great hardship had been inflicted on the poorer classes, who were driven out of the wretched tenements that were pulled down to make way for new streets, and driven to go and live in tenements still more wretched. The consequence was, that there were in the metropolis hundreds and hundreds of instances in which not one family, but two families at least, were living in the same room. He knew not whether any plan could have been adopted in making these improvements to prevent this result; but this at any rate was true, that no pains whatever had been taken to supply the defect, except by voluntary associations ; but what they had been enabled to effect was but as a drop to the ocean. The effects were frightful to contemplate. A crowded state of a population led to a disregard of the common decencies and obvious proprieties of life; and he shuddered to think at the consequences to the miserable occupants, who had no choice but to occupy such places, or to perish in the streets; for uncleanliness certainly led to the loss of those appetencies for nobler objects which counteracted the baser attributes of our nature. But this was not all. From the evidence contained in the report on the sanatory state of towns, it appeared that overcrowding and want of cleanliness caused an aggravation of the general type of disease in the metropolis. There was a gradual deterioration of the constitution of the English labourer in the metropolis, and it was even necessary to have recourse to a totally different course of medical treatment to what had been formerly adopted, to so great an extent had this change of constitution gone. Where depletion was used formerly, tonics were now obliged to be given. Where tenements were so much overcrowded as at present, the necessary consequence was uncleanliness and loss of health. He himself remembered, when a parochial clergyman, 20 years ago, to have seen a tenement containing sixteen families, in all sixty-four persons, in sixteen different apartments; but that was nothing to the present state of things, where two families with five or six children each were often crowded into one room. It was obvious that a great boon would be conferred on persons so situated, if they had the means put in their hands of washing their clothes and linen apart from their dwellings. The practice of washing linen and clothes at home among the poor was open to objections. It was almost necessarily done in a manner that scarcely deserved the name; the things being often put into water that had been used for other purposes, and substances that he would only allude to substituted for soap. Then it was difficult to get the clothes properly dried after they were washed. The other part of the institution to which he solicited their Lordships' favour consisted of baths ; and baths, he could assure their Lordships, were necessary to the health of those who had but few opportunities of purifying themselves from the dirt derived from their employments, and from the perspiration caused by hard labour. At Liverpool, where the scheme had been first tried, the greatest desire had been manifested by the labouring classes to avail themselves of the institution. In the year ending May 28, 1844, there were of cold bathers 3,882 ; warm bathers, 16,704; and the receipts were 303*l.*, being an increase of 103*l.* as compared with the preceding year. In London a meeting had been held a year ago on the subject, but owing to various causes no great progress had been made.

He must not omit to mention that he had last Saturday spoken to some women who were washing at the institution he was about to mention, and they had assured him of the great comfort and convenience which the opportunity of washing their clothes away from home was to them. Lately an association of charitable persons had opened baths and washhouses in Glasshouse-yard, in the city, on a small scale, and although the accommodation was of the most ordinary kind, nevertheless the following were the results, viz., that in the half-year ending November, 1845, there had been 13,538 bathers; 15,643 washers, being persons in the very lowest ranks of labour; and 140,034 articles washed. In the second half year there were 14,124 bathers, 19,934 washers, and 143,432 articles washed. So that in one year they had 27,662 bathers, and 35,680 persons, who had washed 260,526 articles. Now, if they added the other members of the families of those persons who had used the washhouses, they would find that, including the bathers, there were 87,000 persons who had either directly or indirectly benefited by this establishment. The whole cost of these advantages, exclusive of the money sunk in the apparatus, &c., was no more than 400*l.*, being about one penny and half a farthing a head for the 87,000 individuals benefited indirectly, and of 1½*d.* per head for the number directly benefited. These baths were gratuitous: that, however, was not the case with respect to the baths of Liverpool, nor would it be the case in the institutions which the petitioners sought to establish. The eagerness displayed by these persons to avail themselves of cleanliness made it certain that the respectable portion of the labouring classes would gladly pay so small a sum as 2*d.* for a warm bath. The effect of this system could not be otherwise than beneficial to the poorer classes; and Mr. Owen, the surgeon, who had been mainly instrumental in the formation of the association, said the beneficial effects of bathing and washing on the poor were most striking to all those who come into contact with them. The outlay on building establishments of the kind proposed to be erected could not be very great, and a return upon the outlay of 13½ per cent was confidently expected, so that there could be no great ground for any apprehensions as to the amount of the parish rates which might be laid out. He thought, after what he had said, it was unnecessary to take up the time of their Lordships; but he would just add that the principle which he entreated their Lordships to sanction whenever the Bill to which he had alluded was brought before them, had been already recognised by the Legislature in a measure which authorized town-councils to raise rates for the erection of museums, or for the instruction and amusement of the people, an application of public money of which he entirely approved. Great credit was due to the Government of this country for having during the last few years paid so much attention to the instruction and amusement and needful recreation of the people—matters which had been too much neglected for a long period in this country; but it must be obvious to every one, that before these objects could be attained, before museums and public places of instruction could be made available, habits of cleanliness, and the means of maintaining those habits, must be diffused throughout the whole of the community.

The Marquess of NORMANBY concurred in what had been so well said by the right rev. Prelate; but the petitions which he had presented referred to only one feature of this great subject. He hoped that, when their Lordships were considering this question, the state of the dwellings of the poor would not be overlooked. He could assure the right rev. Prelate, who had referred to this point among others, that he had more than once witnessed the condition of many of those dwellings; and the impressions left on his mind were still fresh as to the necessity of the Legislature interfering for the comfort of the people. He hoped the right rev. Prelate would not content himself with merely pressing upon the attention of the House the matter of baths and washhouses, but that he would give his valuable assistance in introducing some measure for the improvement of the dwellings of the poor.

Lord KINNAIRD had also visited many of the poorer parts of the metropolis; and it was impossible to conceive the amount of wretchedness which had come under his observation. It was absolutely necessary that steps should be taken to prevent the dreadful overcrowding in many portions of the city, and also to secure the comfort of the inhabitants otherwise. Let their Lordships look to what was taking place in Bethnal-green. They were building houses every day, and yet there was not a single sewer in the district. The inhabitants complained bitterly of the stagnant water and

filth which prevailed in that neighbourhood; but nothing was done to remedy the evil. The evils arising from want of drainage and from overcrowding were such as private enterprise could not reach, and therefore they ought to be grappled with by the Legislature.

Petitions read and ordered to lie on the Table.

WOKINGHAM CHURCH AND PARISH.

EARL GREY then rose to present the petition of which he had given notice from the churchwardens of the parish of Wokingham, Berks. It appeared from the statements of the petition that—

"The parish of Wokingham extends over about 8,500 acres, and contains a population of about 3,500 souls. The parish is a perpetual curacy, and is under the peculiar jurisdiction of the Dean of Salisbury, who is rector as well as ordinary and impropriator of the tithes. The tithes have been leased for very many years by the Deans of Salisbury, on leases for lives, renewable on payment of a fine, at an annual rent of 26*l.* 13*s.* 4*d.* The last fine received was 2,200*l.*; and the present Dean of Salisbury appropriated 200*l.* of the amount for the benefit of the minister, by subscribing that sum to Queen Anne's Bounty, retaining 2,000*l.* for himself. The tithes have been commuted at 1,698*l.* 10*s.* 9*d.*; and there are are 30 acres of glebe, worth about 60*l.* a year. The Rev. Thomas Morres, the perpetual curate, receives a stipend of 150*l.* only (inclusive of all fees), 40*l.* only of which are paid out of the tithes. He, some few years since, appointed an assistant curate, at a salary of 80*l.*, which left the perpetual curate only 70*l.* per annum for the cure of the parish. The perpetual curate, being unable, from the scantiness of his income, to continue to his assistant curate the payment of the salary of 80*l.* per annum, has lately been compelled to reduce the salary to 40*l.* per annum, upon condition that the assistant curate shall be relieved from all duty during the week, and his services should be required for the performance of Divine service on the Sunday only. There is no parsonage house or residence for the clergyman. Mr. Morres, the perpetual curate, has consequently been obliged to accept the appointment of master of Lucas's Hospital, an endowed almshouse, belonging to the Drapers' Company, situate within the parish. He resides there, and receives a stipend as master of 100*l.* per annum; and the rules of the hospital enjoin upon him 'the reading of Divine service in the chapel every day; preaching every Sunday and Christmas-day, and, in commemoration of the founder, every 15th of July; and administering the sacrament four times a year.' Consequently his duties as master of Lucas's Hospital materially interfere with his duties as the clergyman of the parish. The time of the assistant curate was almost exclusively devoted to the education of pupils; and, by reason of the reduction in his salary, he is now altogether relieved from the performance of any weekly duty. The parish, therefore, may be said to be without the entire services of any one clergyman."

It was also stated in the petition, that in 1843 the church was found in an exceedingly bad state of repair, and a negotiation took place with the rector, the Dean of Salisbury, with reference to building the church, and repairing the chancel. A very painful controversy took place on this subject between the dean and the parishioners; but, as the dean had very lately resigned the deanery, he (Earl Grey) needed not to trouble their Lordships with any statement on that head. The result of a prolonged discussion was this—that the parishioners were advised that to repair instead of rebuilding the church would be a most improvident outlay of money; but, from the impossibility of coming to any satisfactory arrangement with the rector and his lessee of the tithes, they were compelled to expend between 700*l.* and 800*l.* on an inadequate repair of the church, although they were prepared to expend a much larger sum for rebuilding the church if the rector would have joined with them in rebuilding the chancel. Into the history of that controversy it would be quite unnecessary for him to go, as he had already mentioned that the Dean of Salisbury had very lately resigned the deanery; but that very circumstance made it important that the House, and he hoped other authorities, especially the Ecclesiastical Commissioners, should now take into consideration the state of this parish; for it appeared to him that there was great force in the concluding observations of the petitioners, wherein they attributed the necessity for that heavy outlay for their church—while admitting that there was some neglect on the part of the parish officers—to the want of proper and efficient visitations on the part of the Dean of Salisbury. The petitioners also maintained that it was a gross anomaly in the law that the office of rector and visitor or ordinary should be held by one and the same individual; because, as ordinary, the duty of enforcing the repair of the chancel was directly opposed to his interest as rector, which would abrogate and put an end to his office of ordinary altogether. The churchwardens suggested some improvement in the law in this respect, and further represented—

"That, although in the parish of Wokingham upwards of 1,700*l.* per annum are raised for the maintenance of the Established Church, nearly the whole of the revenues are diverted from the parish, and a population approaching 4,000 souls is left in a state of comparative spiritual destitution. There is no clergyman entirely devoted to the service of the parish, no parsonage house, and no means of obtaining anything like adequate pastoral superintendence; that one portion of the parish lies in a

wild and remote district, and contains an increasing population, composed exclusively of labourers and broom-dashers, who subsist almost entirely by cutting heath on the commons, and converting it into brooms; and who, having for the most part no masters to control them, and no persons of a superior station dwelling among them, stand peculiarly in need of regular pastoral superintendence; and the want of it must be attended with the growth of irreligion, vice, and immorality, and must result in the most deplorable consequences, if some means be not speedily adopted to arrest and put an end to evils of so deplorable a character. The petitioners pray that the matters set forth in the petition may be taken into consideration, with a view of remedying the grievances of which they complain; and that some law may be passed for the enforcement of a better and more efficient system of ecclesiastical visitation, and for the fair and satisfactory adjustment of all questions arising between the rector and the ratepayers, touching the repair and upholding of the chancel and the fabric of the church."

It appeared to him (Earl Grey) that the prayer of this petition was one to which by some means attention ought to be paid; and that the parish of Wokingham had the strongest ground of complaint. Was it fair or just, where the regular pastoral superintendence was so much required, and where so large a sum as 1,700*l.* a year was raised from tithe, that something quite inadequate should alone be set aside for the spiritual care of the parish? This must strike their Lordships as being entirely contrary to justice; and it appeared to him that the circumstance of the recent vacancy of the deanery afforded a proper opportunity of doing something in the way of relief for the parish. This case ought to attract the immediate attention more especially of the Ecclesiastical Commissioners. He was aware, that by the recent vacancy of the deanery, the small annual sum of 26*l.* 13*s.* 4*d.* became immediately disposable; and that during the lease of the lessee, who received a large income from tithe, there was no power of taking a larger sum for the spiritual wants of the parish. But it was by the negligence of the ecclesiastical authorities and of Parliament that that improvident bargain, made with the lessee of the tithe, had been allowed. It was the fault of Parliament, and it was the fault, too, of the authorities of the Church, who had not brought this subject earlier before Parliament, that the large funds granted in this parish in former ages for ecclesiastical purposes had not now for a considerable number of years been disposable for that object; and therefore the parishioners of Wokingham had an indisputable right to look to Parliament and to the Church authorities to take some immediate measures, with the view of meeting the wants and removing the grievances of which the petitioners complained. When the leases fell in, additional revenues would become available for supplying the spiritual wants of the parishioners; and he thought it would be just and proper, by some arrangement —either by Act of Parliament, or by such arrangements as the Ecclesiastical Commissioners had power to adopt without a new law, to anticipate this reversionary interest, so as to afford some present assistance to the parish. He considered it the more important that this should be done, because, if matters were allowed to remain in their present state, the large revenue, when it became available, would be far less useful then than it would be at the present time. If the Established Church neglected its duty, a large portion of the population would either become altogether indifferent to religious services, or conform to some dissenting denomination; and under such circumstances the revenue would be much less serviceable than it might be if it were now applied by anticipation to the benefit of the parish. He did not think it would be proper at this time to enter into any discussion of the measures it might be advisable to adopt for the relief of the parish of Wokingham; for he would not at present commit himself to any particular views on that subject. He must say, however, it appeared to him that the parish was labouring under grievances which urgently called for the interposition of some competent authority for their removal; and he begged leave most strongly to recommend the petition to their Lordships' attention.

The Bishop of SALISBURY said, that the parish of Wokingham, as had been stated by the noble Earl, was a peculiar under the spiritual jurisdiction of the Dean of Salisbury, and exempted from the jurisdiction of his right rev. Friend the Bishop of Oxford. He (the Bisbop of Salisbury) wished to thank the noble Earl (Earl Grey) for the courtesy with which he had twice deferred the presentation of this petition, on account of circumstances he had stated to the noble Earl, and which that noble Earl considered justified its postponement. He was also anxious to express his sense of the fairness and consideration of the noble Earl in abstaining from introducing a discussion upon the very lengthened correspondence in his (Earl Grey's) possession. He entirely agreed with the noble Earl

that it was difficult to find a case of greater hardship and grievance than that of the parishioners of Wokenham; for large sums originally designed for the spiritual improvement of the parish were devoted to a purpose which, though good in itself, was not that for which they were bestowed. He must say that he did not think the noble Earl had at all overstated the grievance; but he wished the noble Lord had pointed out any immediate remedy for it. What was the grievance complained of? It was the widely-extended grievance of the diversion of tithes from the purpose to which they were originally appropriated —the relief of the spiritual wants of the country. But, however great might be the grievance under which the parishioners of Wokingham laboured, they were less unhappily circumstanced than the parishioners of some other places; for under the late Act of 3rd and 4th Victoria, c. 113, s. 49, it was provided that the tithes should, on the next vacancy in the deanery, come into the possession of the Ecclesiastical Commissioners. A vacancy in the deanery having now occurred, these tithes and estates, subject however to the existing lease, were vested in those Commissioners. But another grievance complained of was, that the tithes being thus appropriated away by the system of leases, were removed from the control of the possessor of the dignity of prebend, or whatever it might be. Now, to this evil a remedy would be applied, so soon as it could take effect, by the rest of the Ecclesiastical Commissioners expressing their determination not to renew leases on lives. On the expiration of the existing leases, therefore, this tithe property would come into the hands of the Ecclesiastical Commissioners, who would apply the funds for the spiritual advantage of the parish of Wokingham. By the 67th Section of the Act to which he had referred, the Commissioners were under special obligation fully to consider the wants and circumstances of that parish; for under that section, so soon as the Commissioners had any funds in their hands arising from the ecclesiastical property in the parish of Wokingham, they were bound —before making any other application of them—to pay due regard to the circumstances of that parish. Desirous as he (the Bishop of Salisbury) was to see a remedy applied to this great evil, he did not think that, under existing circumstances, the Commissioners could do more than apply to the spiritual care of the parish the reserved rent of 26*l.*, which till the expiration of the present leases was all the property at their disposal. Upon one point referred to by the noble Earl, namely, the subject of ecclesiastical visitation, it would not be becoming in him to enter; but he must say that he considered the peculiar ecclesiastical jurisdictions a great evil and anomaly. These "peculiars" were established under the Papal system, from a desire to limit the power of the diocesan episcopates; and the subject was one to which the attention of the Commissioners had been directed; but, though they had presented a report, the proposal of a complete remedial measure had been delayed from year to year. The Act 3rd and 4th Victoria, however, gave the Ecclesiastical Commissioners a power, though not a complete one, to abolish peculiars; and the Commissioners had lately proposed to Her Majesty a scheme for the abolition of all peculiars in the diocese of Oxford. When that scheme had received the sanction of the Council, Wokingham would cease to be a peculiar jurisdiction, but would be placed under the spiritual jurisdiction of the Bishop of Oxford. The noble Earl opposite had avoided entering into a series of minor facts mixed up with this question; and he (the Bishop of Salisbury) had confined his remarks simply to matters of a public nature. He fully concurred with the noble Earl that it was most advisable some remedy should be devised for the grievances to which he had directed the attention of their Lordships.

Petition read, and ordered to be laid on the Table.

House adjourned.

HOUSE OF COMMONS,

Monday, June 8, 1846.

MINUTES.] PUBLIC BILLS. 1°. Smoke Prohibition.

PETITIONS PRESENTED. By Mr. Hume, from Montrose, complaining of Refusal of Proprietors of Land to grant Sites in suitable Places, or on any terms, for the Erection of Churches for the use of the Free Church in Scotland.—By Mr. Wakley, from G. L. Hutchinson, of Lambeth, for Inquiry into his Plan respecting Poor Rates. —By Mr. Rice, from Dover, in favour of the Art Unions Bill.—By Captain Layard, from Out-Pensioners of Chelsea Hospital, complaining of Deductions from their Pensions.

POOR REMOVAL BILL.

On the Question that the Order of the Day for the Second Reading of the Protection to Life (Ireland) Bill be read,

Mr. T. DUNCOMBE said, that on a former evening he had moved that the Committee on the Poor Removal Bill be taken

this evening, in order that he might move that it do take precedence of the other Orders of the Day. At present the Irish Coercion Bill stood for discussion before the other Orders; but he maintained that he was fairly entitled to precedence for the Poor Removal Bill, and that the Coercion Bill ought not to be gone on with till that Bill was discussed, and in some way or other disposed of. He made this claim in consequence of an assurance which had been given by the right hon. Baronet at the head of the Government when the first reading of the Coercion Bill was agreed to. The right hon. Baronet then stated what he proposed should be the course of business—that immediately upon the first reading of the Irish Coercion Bill he should proceed with the Corn and Customs Bills, then with some Votes in Supply, then with the Poor Removal Bill, and then that he should take the sense of the House on the subject of the Sugar Duties. Now, the right hon. Baronet had disposed of the Corn and Customs Bills, and had taken some Votes in Supply, but he had not yet given the House a discussion on the Poor Removal Bill. On the contrary, he proposed to go on with the second reading of the Irish Coercion Bill. The House was called on to read the Bill a first time as a compliment to the House of Lords; a reason which weighed so much with some hon. Gentlemen on that (the Opposition) side of the House, that they voted for the first reading, although they were going to oppose the second reading. Before, however, they went on with the second reading, which must give rise to another long, wearisome, and futile debate, because it never could pass that House, he maintained that they ought to proceed with that Bill—the Poor Removal Bill—to which the House was pledged as to the principle that certain residence should insure relief, irrespective, as it now turned out, altogether of settlement. The adoption by the Government of the instruction moved by the hon. Member for Malton had taken the House by surprise; and he considered that the majority on the division that took place did not really represent the sense of the House. His object, independently altogether of his hatred to the Coercion Bill, now was, to get the Poor Removal Bill discussed before the other Orders, because he believed that a majority of the House would discharge that instruction. Even the noble Lord the Member for London had not said he gave it an unconditional support. If he (Mr. Duncombe) should succeed in getting that instruction rejected, they would then have to go back again to the whole Bill before it had been altered in accordance with that instruction. He thought, under these circumstances, that they ought to know whether the instruction of the hon. Member for Malton, so adopted by a majority on Friday night, really embodied the sense of the House of Commons on the question—of the same House of Commons, which last year was so opposed to the principle of that instruction that the Government dared not proceed with the Bill. He therefore would move that the Order of the Day for the Committee on the Poor Removal Bill have precedence of that for the second reading of the Protection of Life (Ireland) Bill.

Sir J. GRAHAM would not object to the Motion of the hon. Member if it were agreed to on the understanding that the Order of the Day was only read first for the purpose of postponing it. A majority of the House having on Friday decided on adopting the instruction moved by the hon. Member for Malton, he (Sir J. Graham) on Saturday morning gave directions for the preparation of clauses which in his judgment would give effect to it. Those clauses were ready, but he had not yet had time to consider them. If the Order of the Day were postponed to Wednesday or Thursday, he would be prepared on either of those days, in obedience to the decision of a majority of that House, to go into Committee *pro formâ*, and introduce those clauses. The hon. Gentleman, however, denied that the majority of Friday expressed the sense of the House, and maintained that to give precedence to the Protection of Life Bill was inconsistent with the arrangement of public business made by his right hon. Friend at a former period; but he was quite sure the House would remember that at the time the second reading of the Protection of Life Bill was fixed for Monday, the Committee on the Poor Removal Bill was fixed for Friday last; and that he (Sir J. Graham), at the time that that arrangement of public business was made, stated that the proposed instruction of the hon. Member for Malton was so important, both in form and in substance, that it must raise a preliminary discussion, and that, if it was agreed to, some delay would be indispensable, in order that the Bill might be modified in accordance with it. The second reading of the Bill for the Protection of Life in

Ireland was at the same time fixed for this evening. If, however, the hon. Member for Finsbury, not being content with the decision of the House on the instruction moved by the hon. Member for Malton, after notice given before Whitsuntide—and if he thought it expedient, after the full discussion on Friday night, now, without notice, to put it to the vote in a more full House, by raising the question whether the Poor Removal Bill should not have precedence, of course it was open to him to do so. [Mr. DUNCOMBE had given notice on Friday.] He was not aware of that. He believed, however, that if the hon. Member did take the course he proposed, the decision of the House this evening would be in conformity with their decision on Friday; but, on the other hand, it was most important that the point should be decided, because the form in which the Bill would come before the House would depend upon that decision. Such a reversal of the decision of Friday, after the Bill had been prepared in accordance with it, would, he agreed with the hon. Member, almost render it impossible to proceed with the Bill. If, however, the House should adhere to its decision of Friday night, he apprehended that there would be no objection to allow him, as was usual with Members who had charge of a Bill, to go into Committee *pro formâ*—on Wednesday, for instance—when the Bill could be presented to the House in the shape required by the instruction, and reprinted.

MR. BANKES entirely concurred with the hon. Member for Finsbury, that the House had been taken by surprise on Friday. The surprise among his Friends had been to see Ministers voting for a measure which it was thought they would have resisted, because the right hon. Home Secretary had said some time ago that he found it universally distasteful to the agricultural interest. His Friends had been very thin in their attendance under this persuasion. True it was that they had not been universally in the habit of trusting Ministers; but in this instance they had confided in them, and, as might be supposed, they had been deceived. Before it could be said that the instruction had been adopted by a majority of the House, another opportunity for a division ought to be afforded. He knew not when a more full, free, or dispassionate consideration of the subject could be given than at the present moment. The Poor Removal Bill had been introduced by Government as part of a great comprehensive scheme, and it was to proceed *pari passu* with the Corn Bill. They were to go through the same stages, and together were to be sent up to the House of Lords. The one was to be taken as a counterpoise to the other; and as the Corn Bill was unfavourable to the operative and the labourer, the Poor Removal Bill was contended to be as much to his advantage. As to interposing any delay in the discussion of the Coercion Bill, he believed the notion was universal that Government had no idea of carrying —that they had resigned all hope, if they had not lost all wish of carrying—it. He admitted the principle to be deserving of consideration; but he had this objection to the instruction of Friday, that the Poor Law Commissioners had made unions so injudiciously large, that unless they were remodelled, the principle would be found impracticable. He trusted that the hon. Member for Finsbury would persevere in his Amendment, in order that a decision might be come to which was not open to the objection of surprise.

SIR R. PEEL said, that the great majority of Members present must have come down with the expectation that the second reading of the Bill for the Protection of Life in Ireland was the chief subject for discussion this evening. When opportunities had become so precious, he should be sorry that a night should be lost. He regretted that the hon. Member for Finsbury seemed to think he had not fulfilled any engagement into which he had entered: he was always anxious to be explicit, and to carry into effect all his assurances; but the House would be aware of the difficulties with which he had to contend, arising very much from not being able to foresee to what length discussions might be carried. He had always felt that the second reading of the Poor Removal Bill had been agreed to, in order that the debate might be taken on the question that the Speaker leave the Chair; and, notwithstanding the great pressure of some Votes in Supply, he had given way, in order that a night might be devoted to the Poor Removal Bill. He could not admit that he had ever led to the expectation that it should proceed *pari passu* with the Corn Bill: all he had said was, that he would afford the earliest opportunity for the discussion; but he had constantly stated, that, on the first possible occasion, he would submit the Bill for the Protection of Life in Ireland to the decision of the House. As to the instruction carried the other night, it

was perfectly open to any hon. Gentleman to urge that it had been adopted by surprise; but it would surely be an additional advantage if due notice were given of an intention to reverse that decision. Notices given in speeches were not entered on the Votes, unless they were subsequently and formally handed in to the clerk. It seemed to him that the House was not at this moment in a position to enter into so important a question as the Poor Law, and he hoped that the night would not be wasted in fruitless discussion, but that hon. Members would be allowed to proceed to the expected business—the Irish Bill.

Mr. J. E. DENISON did not think he was open to the charge of having taken the House by surprise. The Bill as amended, in consequence of the instruction he had moved, was in such a state of progress that it might have been laid upon the Table this evening; but as the discussion of it was not expected, it seemed to him that it would be better to proceed with the business fixed for the evening.

Mr. WAKLEY could not agree that the House had been taken by surprise, for the notice had been ample. Before the recess the right hon. Baronet (Sir J. Graham) had stated that the discussion would certainly be taken on Friday. He was astonished to learn that the agricultural interest was so strongly opposed to the measure, for 1844 and 1845 a feeling against it had been displayed on the opposition side of the House. The question was a most important one, and, considering the helpless condition of the hundreds of thousands affected, it ought to be debated without any tinge of party feeling. He trusted that it would be impressed upon the minds of all that the law would operate upon the poor for many years to come. He had paid the utmost attention to the subject. He had considered it in all its bearings, and he frankly owned that he knew not what course to take in consequence of the vote of Friday night. He really wanted more time. The Motion of his hon. Colleague referred to giving relief in unions, not in parishes, and he wished the House to bear that especially in mind. It involved a question of the continuance of unions under the Government of the Poor-law Commissioners. He had been sitting for some time on a Committee which was inquiring into the subject, and although he was bound not to disclose what passed, he might say, that from deficiency of information the House was not yet prepared to legislate. He had moved in the Committee, and in the House, that the proceedings should be laid upon the Table day by day, his object being, that hon. Members, as far as possible, should be duly instructed. It was impossible for the House to legislate until they were in full possession of the facts.

Lord J. RUSSELL could not quite agree with the hon. Member near him, that the right hon. Gentleman opposite had brought this question before the House in the most convenient shape. Though it was perfectly well known that his hon. Friend the Member for Malton meant to have introduced this question, he thought it would have been better if the House had had some previous notice that the right hon. Gentleman meant to support the Motion of his hon. Friend; or, what would have been still better, to take this instruction into his own hands. His hon. Friend who had made the Motion rightly interpreted his (Lord J. Russell's) vote on that question. He considered it fair to the right hon. Gentleman and his Government that the House of Commons should enable the right hon. Gentleman to shape his Bill in the mode he thought best for the public advantage. It might have been better, perhaps, if the Bill had been withdrawn, and the right hon. Gentleman had brought in a new Bill for the purpose of giving union settlements; but he could not quite see the advantage of going into this question on the present occasion. It was far better to allow the right hon. Gentleman an opportunity of fully considering the Bill, and shaping the clauses in the manner he thought it best that they should be brought under the consideration of the House. The hon. Member for Dorsetshire had stated what he (Lord J. Russell) thought a good reason for taking that course, when he said that his reason against union settlements was, that the unions were inconveniently large. Until they saw the Bill, they were not aware whether the right hon. Gentleman meant to propose any modification in the size of the unions, whether they were to be smaller or larger. They had not the details before them, and until they had, they were not in a condition to judge of the question. For himself, he reserved his opinion until the details were before the House. He regarded the whole question as open for their consideration when the Bill should have gone into Committee *pro formâ*, and been recommitted.

MR. BRIGHT would take that opportunity of adverting to a statement made by the hon. Member for Finsbury (Mr. T. Duncombe), to the effect, that while from some towns he had experienced the greatest difficulty in obtaining certain returns for which he had moved, specifying the number of persons removed from Lancashire, Yorkshire, and Cheshire, in 1841, 1842, and 1843, he had more especially experienced such difficulty in getting them from the town of Stockport. The hon. Gentleman had gone on to say, that "he had sent down to Stockport, and asked for information on this subject, because he had understood that great numbers of families had been removed from that town in 1842; but the clerk of the union would not suffer the persons who applied on his behalf, although a ratepayer, to see the books of the union, or afford him any facilities for his inquiry." He had received a communication from the gentleman pointed at, declaring that there was not one word of truth in the statement, so far as he was concerned; and that he had always in the discharge of his duties given all facilities for obtaining information as to the working of the Poor Law; that no such application had been made to him, nor did he know till Saturday last that such information was required by the hon. Member for Finsbury. It was added that the return presented to the House was made out as fully, and with as great despatch as possible.

LORD H. VANE hoped the hon. Member for Finsbury (Mr. Duncombe) would withdraw his Motion, after what had fallen from the noble Lord the Member for London.

MR. DUNCOMBE wished to know what course the right hon. Gentleman proposed to take in reference to the Poor Removal Bill?

SIR J. GRAHAM proposed to make it an Order of the Day for Thursday.

SIR R. PEEL thought it would be better to see the Bill before coming to a decision on the subject. The opinion of the House might afterwards be distinctly taken on the question of union settlements.

MR. O'CONNELL observed, that at an early stage of this Bill the right hon. Baronet was asked whether it was proposed to include Irish paupers under the operation of the Bill, and stated that such was the intention. In Ireland there was no law of settlement, and provision would require to be made in express terms for enabling natives of that country to take benefit under the Bill. He wished to know whether the right hon. Baronet had given directions to have proper words introduced to carry out the intention of the Government.

SIR J. GRAHAM stated, that he by no means departed from the pledge he had given. He meant to extend the principle of irremovability to the cases of all Irishmen who had resided for five years in the place where they might fall destitute. Had it not been for the high authority of the hon. and learned Gentleman, he should have thought the present words in the Bill sufficient for the purpose.

MR. DUNCOMBE'S object was to save the House trouble. The two questions were separate, and ought to remain separate; and there was no use at all in going into Committee *pro formâ*, until the question had been decided by the House whether there should be settlement by unions.

Question again put.

Amendment withdrawn.

LIMITED ENLISTMENTS.

CAPTAIN LAYARD wished to ask a question of the Secretary at War. It might be in the recollection of the House that, last Session, he had brought forward a Motion concerning limited enlistments; and the Motion now stood on the books, to be made when the Army Estimates were brought forward. He had been much surprised, on Friday last, at reading in the *Times*, a journal invariably correct in its statements, the following important and new clause under the head of "Mutiny Act," and he begged to ask the right hon. Gentleman if the information thus conveyed was authentic. The clause was Clause 8, as follows:—

"Are you willing to be attested to serve in the — regiment of — for the period of — [This blank to be filled up by the justice with 7, 14, or 21 years, as the case may be—10, 16, or 24 for cavalry, and 12, 16, or 21 for artillery, if the person is of the age of 18 or upwards; but if under the age of 18 years, then the deficiency between his age and 18 to be added to such 7, 10, 12, 14, 16, 21, and 24, (as the case may be)] years, provided Her Majesty should so long require your service, and also for such further term, not exceeding 12 months, as shall be directed by commanding officers on any foreign station, and not exceeding three years, as shall be directed by any proclamation of Her Majesty; such additional period, in the latter case, to determine whenever six months of continuance in peace, to be reckoned from the ratification of any definitive treaty, shall have elapsed subsequent to the expiration of the said 7, 10, 12, 14, 16, 21, 24, (as the case may be) years?"

He had read this with extreme pleasure; and he would, if he found it correct, most heartily coincide in the praise given on Saturday in the *Times* to the right hon. Gentleman for what was termed "the improvement." It was most important that the public should not be misled; and he begged to ask if the statement was to be relied upon that the enlistment of soldiers was, in future, to be for limited periods?

MR. S. HERBERT said, the statement was erroneous, and the mistake had, he supposed, originated in the appearance of a clause in the Mutiny Act this year, which had, in fact, been regularly repeated year after year, for a considerable period; but, as a matter of formality, giving the authorities the power at their discretion of permitting limited enlistments. There was, however, no intention at present to alter the practice on the subject.

THE CASE OF SIR C. TAYLOR.

MR. J. COLLETT wished to ask a question. It was three weeks since, in the discharge of his public duty, he had in that House made a statement impugning the character of a magistrate and minister of justice. He had then read affidavits. The right hon. Baronet (Sir J. Graham) requested copies of those affidavits, and gave as a reason for the request that he desired an early opportunity of making inquiries on the subject. The right hon. Baronet had been furnished with those documents, and a few days subsequently had stated that they were extrajudicial, and that therefore no proceedings could be taken against the parties in question in case they turned out to be untrue. The right hon. Gentleman at the same time had been kind enough to recommend him to bring an action against Sir C. Taylor in the Court of Queen's Bench; but the question was, not whether the affidavits were extrajudicial or simple statements, but whether they were true or untrue—whether the magistrate had or had not acted in the manner alleged; and it was not to be expected that a private individual should bring an action against a magistrate for having improperly discharged his public duties. He therefore took the liberty of referring the right hon. Baronet to the statements made, and of asking him whether Sir C. Taylor still continued in the commission of the peace for the county of Southampton?

SIR J. GRAHAM: It would be remembered that when the hon. Gentleman first brought the conduct of Sir C. Taylor under the notice of the House, he brought forward a statement, and mentioned one particular individual who was the accuser, and on whose information the hon. Gentleman relied. He had made minute inquiries, and had referred the allegations to the magistrates sitting at the petty sessions of the town in which the case under consideration had occurred. He had received an explanation from the two justices by whom the information in that case had been granted, and they informed him that the person on whose accuracy the hon. Member had relied, was a convicted felon. They distinctly asserted that the statement of that individual was untrue; he had been perfectly satisfied with that explanation, and this result he communicated to the hon. Gentleman. The hon. Gentleman then started a new case, and produced certain affidavits proceeding from other quarters, and not from the convicted felon to whose testimony the hon. Gentleman in the first instance referred. He obtained copies of those affidavits; he submitted them to the law advisers of the Crown; and he was then informed, that if false, they could not be made the groundwork of a criminal prosecution, or of a civil action for slander, because they were extrajudicial; and that, on the other hand, if they were true, they might be made the groundwork, not of a civil action against Sir C. Taylor, but of a criminal information, to try the question before the Queen's Bench whether that magistrate was worthy to hold Her Majesty's commission. He (Sir J. Graham) had not under the circumstances thought it necessary to prosecute the inquiry beyond this. He sent Sir C. Taylor copies of the affidavits, and Sir C. Taylor gave him the most positive assurance that in all the more important particulars they were altogether incorrect. He could not declare, on the part of the Crown, that the investigation should be carried further, and he did not hesitate to tell the hon. Gentleman that Sir C. Taylor still remained in Her Majesty's commission.

MR. P. SCROPE thought that it was a most insulting mode, adopted by the hon. Gentleman, of dealing with the case, to make, first, a very strong charge, and then to ask if Sir C. Taylor still held a commission of the peace. The hon. Gentleman had, when he found his case breaking down, sent a fishing commission, consisting of an attorney, down to South-

ampton, and had, by this means, procured some affidavits relative to the transaction. They were then brought before the House, and had, of course, been reported at length in the papers. Now, Sir C. Taylor had been greatly injured by this course. He had even come up to town with the object of taking legal proceedings against the hon. Member; but, by the advice of his friends, he had abstained from so doing, and had been assured that his character had not suffered. The hon. Member did not seem to think so, but he should have made his charge in some more tangible shape than that in which he had repeated it. Nothing could be more unjust than for the hon. Member to make these *ex parte* statements.

MR. COLLETT would maintain that the charge to which he called attention was in very distinct terms; and all he asked was inquiry.

MR. NEWDEGATE thought that the course pursued, in reference to this matter, by the hon. Member was most unwise; and he felt persuaded that the allegations against Sir C. Taylor were unfounded. The character of that Gentleman had been called in question; and he trusted the House would see the propriety of expressing disapprobation of the practice of getting affidavits.

MR. WAKLEY conceived that, after what had been said, there remained only one course for the friends of Sir C. Taylor to pursue, and that was to move the appointment of a Committee. ["Oh!"] Why, they were dissatisfied with what had been done. They thought the allegations of the hon. Member for Athlone (Mr. Collett) were unjust; and they ought, therefore, at once to institute an inquiry in order that they might know the truth. The hon. Member fully believed in the correctness of his statements; and, as the right hon. Baronet did not, nevertheless, think it necessary to make any further inquiries, it became the imperative duty of the House to inquire how the magistrate had acted, and if it were customary for the poor to be entrapped into the commission of crime for the purpose of being thrown into gaol. A case which, both as regarded the individual and the House, more loudly called for investigation, he had never known.

MR. BANKES put it to the hon. Member who had just spoken, what he would think if any person were to get up affidavits accusing him — admitting the hon. Member's character to be as clear, and he (Mr. Bankes) fully admitted it to be so, as that of any Member of the House—what would he think if another Member were to get up and say, "Oh! your character will never be cleared unless you have a Committee?" Was that the way in which they were to go on in that House? Were they to be made the objects of public scandal, and not to be allowed to have their characters vindicated without a Committee? Would it be for a man's advantage afterwards to have it said that he was the subject of the investigation of a Committee? He should like to hear from the Secretary of the Home Department what was the nature of these affidavits. He thought all voluntary affidavits had been put an end to, as being instrumental to vain and idle scandal. He believed they were illegal, and was surprised that the right hon. Gentleman should have mentioned them without the censure they deserved.

MR. HUME did not think that the condemnation of the conduct of the hon. Member for Athlone was called for. That hon. Member had acted from a sense of public duty; he had been informed, and believed the information to be true, of a magistrate having acted in a manner which he conceived to be unjust; and in bringing the subject before the public he had only taken that course which, under similar circumstances, he (Mr. Hume) should have adopted. The facts of the case could certainly not be ascertained without some inquiry.

The SOLICITOR GENERAL had not the honour of knowing Sir C. Taylor, and only knew that a charge of a very serious nature had been made against the character of that gentleman, on the authority of an individual who was known to be a convicted felon. That charge, unworthy of attention when it was known from whom it emanated, was now abandoned, and a second charge was brought forward on the authority of certain affidavits, sworn by certain persons, under what circumstances they were not exactly informed. If these were proved true, any one might obtain an ample redress by applying for and obtaining a criminal information in the Court of Queen's Bench against the magistrate whose conduct was thus impugned. If they were false, Sir C. Taylor had no remedy but in the sense of justice in that House; and he (the Solicitor General) regretted to say that it appeared to him that the only way justice could be done was, that some censure should be pronounced upon one who, like the hon. Member for Ath-

lone, had come forward on the sole foundation of affidavits, which, if false from beginning to end, exposed their authors to no punishment, and armed with the impunity which surrounded a Member of that House; stated his belief in the allegations they contained. The hon. Member for Dorsetshire had alluded to the illegality of those affidavits. Now, affidavits which were extrajudicial, which were not sworn in the course of any legal proceedings, might be so far called illegal that no prosecution could be instituted upon them if false. And what was still worse, if the affidavits were sworn in order to instruct a Member of the House for the purpose of bringing them before the House, no civil action would lie upon them. They were, therefore, rather to be considered a nullity than anything else. They were not, however, illegal; for, if they were, the party making them might be prosecuted if the statements were false. But they were a nullity; and no magistrate or officer ought to administer an oath except in the course of judicial proceedings. Unfortunately, however, the party was subject to no penalty; and thus it was that any one might, under the solemn sanction of an oath, make statements affecting the character of the most honourable of men, and then place them in the hands of a Member of that House, who, having stated in his place his belief of their truth, the newspapers circulated the report throughout the world, and the party injured had no redress. He could not proceed against the Member of Parliament, on account of his privilege; and he could not proceed against the party making the statements, because they had been made with a view to a proceeding in that House. As to moving for a Committee, it just amounted to this, that the most worthless of men might throw out any imputations against the character of the most honourable—imputations which might be known to be utterly unfounded, and yet there was to be no way of vindication except by occupying the public time by a Committee of Inquiry. He hoped no such Committee would be granted; but that the hon. Member who had given currency to these most injurious and most unfounded statements would—for he was the only party capable—do justice to the injured party.

Lord G. BENTINCK said, that the hon. Member for Athlone had expressed surprise at the warmth which had been evinced by another hon. Member; but it would indeed have been surprising if that hon. Gentleman had been so wanting in the feelings which characterized Englishmen in general, as to express himself without warmth in such a case where a gentleman, above 80 years of age, who had been a magistrate for half a century, was charged upon such light grounds with an offence such as that which the hon. Member for Athlone had presumed to impute to him. If the hon. Member wished for a Committee, one of a different kind might be appointed with great propriety, and that would be a Committee to inquire into the conduct of the hon. Gentleman himself —a Committee to inquire whether an hon. Member of that House had not been guilty, upon light, frivolous, and vexatious grounds, of being the instrument of propagating a foul, false, and slanderous charge against a magistrate of the country.

Mr. B. OSBORNE said, that after all, this debate was a much ado about nothing. The hon. Member for Athlone appeared to be a sort of monomaniac upon matters of this kind, and before bringing such charges upon the testimony of a convicted felon, he ought to have made a more diligent inquiry. The hon. Member, no doubt, believed the charges to be true; but those who knew the hon. Member took them *cum grano salis*, for on such points the hon. Member was over credulous. He sent his attorney down into a country town where plenty of blackguards were to be found, and where he (Mr. Osborne) knew that Sir C. Taylor had made himself obnoxious by his rigid and just administration of the law, to get up a case against him. The hon. Member had better cure himself of these fancies; and he ought to apologize to the House for having on insufficient evidence brought forward a grave charge against a most respectable and deserving gentleman.

Mr. BRIGHT defended the conduct of the hon. Member for Athlone. That hon. Member had seen certain statements injurious to the character of a magistrate, if true; and if untrue, most unfair towards him. The hon. Member gave notice of his intention to bring the subject forward, and the Home Secretary undertook to make inquiry; but the right hon. Gentleman probably inquired of Sir C. Taylor himself, and of the policeman, parties from whom it was not very probable he would elicit the truth. In the meantime the hon. Member for Athlone made further inquiries, and obtained from persons of respectable cha-

racter affidavits that they believed the statements to be true. He (Mr. Bright) had seen the woman, and the other person who had given evidence, and their conduct and demeanour did not subject them to the suspicion of having spoken untruly. This much he would state, that since this case had occurred there had appeared in a Worcestershire paper the acknowledgment of a gamekeeper, that he had placed a snare with dead game in the pathway leading to the church. Now, he did not charge Sir C. Taylor with being guilty of that which had been laid to his charge; but at the same time he did not think that the hon. Member for Athlone merited the remarks that had been made upon him. If the hon. Member's conduct was the result of monomania, it at all events took a humane and benevolent course in respect of the game laws, which it would be well for the country if some others were to imitate.

MR. W. R. COLLETT said, he had been put to much trouble by his constituents mistaking him for the mover in this matter, and he wished altogether to dissociate his name from it. He felt that the matter ought to be carried further: he knew not whether the hon. Member for Athlone were right or wrong, but in his position he was bound to prove his statements. He (Mr. W. R. Collett) had made inquiry, and had found that there was not a more worthy or honourable magistrate in England than Sir C. Taylor. Unless the hon. Member for Athlone apologized, it was incumbent that some further step should be taken.

Subject at an end.

PROTECTION OF LIFE (IRELAND) BILL.

Order of the Day read, on the Question that the Protection of Life (Ireland) Bill be now read a Second Time.

SIR W. SOMERVILLE said, he rose with considerable reluctance to move as an Amendment that the Bill be read a second time this day six months. He had been in hopes that after the time which had elapsed since the Bill had been introduced and read a first time in that House, and after the course which the late debate upon it had taken—a debate in which the opponents of the measure had been more successful in arguments than in any debate he had ever listened to; successful, because he believed it had the effect of causing many hon. Members who were previously in favour of the Bill to change their opinions; he had, he repeated, been in hopes that, considering all these facts, Her Majesty's Government would have abandoned the measure. But since they had shown a degree of perseverance which was worthy a better cause, it became his duty to oppose, as far as in him lay, the further progress of the Bill. In so doing, he had the satisfaction of feeling that it would not be necessary for him, seeing that he had lately occupied so much of the attention of the House on this question, to trouble the House at any great length on the present occasion; indeed he could not but conceive that a simple reference to dates as regarded the introduction and progress of the Bill, and to the conduct of the Government with respect to it, would be quite sufficient, irrespective of the merits of the measure itself, to ensure the support of every independent Member on both sides of the House to the Amendment which he was about to submit. But having undertaken to move the rejection of the Bill, it would be unbecoming in him were he to omit an allusion to one or two points with reference to it. On a former occasion he had inquired whether the Government had exhausted all the ordinary means which the law afforded them to put down the state of crime which existed in Ireland, and he had been told in reply that it was a very delicate question as to whether the Government would be justified in issuing a special commission for the trial and punishment of offenders wherever crime arose. He had been further told, that it depended very much upon the state of the evidence which might be ready to be produced against offenders in custody. All this he admitted; but he wished to ask this question of the noble Lord, the Secretary for Ireland (the Earl of Lincoln). A special commission had recently been sent into the county of Westmeath. Before that commission issued, an inquiry was made by parties sent down for that purpose, to ascertain the evidence which was ready to be brought forward against the prisoners in gaol. He begged to ask whether the same course had been taken with respect to Limerick, to Clare, and to the other counties sought to be affected by this Bill. If the Government had done so, their excuse for not sending down special commissioners to those counties must be, that the evidence had failed; if they had not taken that course, then he maintained that they had not exhausted all the resources which the ordinary laws afforded them. With regard to the great point of the inap-

plicability of the measure to the existence of a state of crime, a more complete failure of argument than had been exhibited on the part of the Government and of the advocates of the measure, it had never been his fortune to listen to. The measure, it had been proved over and over again, would be of no use whatever for the object it proposed to have in view. It was well known now what led to the state of things which existed in Ireland—the cause was known three quarters of a century ago; and yet nothing had been done to remove it. The same state of things existed in 1772 as existed now. This was shown by the preamble of an Irish Act of Parliament passed in that year, which stated that—

"Whereas it frequently happens that persons calling themselves Whiteboys have notoriously wantonly, and illegally assembled, to injure His Majesty's loyal and dutiful subjects, and have taken and carried away their horses and arms, compelled them to surrender up and leave the occupation of their farms, tenements, and places of abode, and with threats and violence administered unlawful oaths, and have sent threatening letters, and so on."

Was not this the same thing over and over again? This Act was a stringent one; did it have its effect? After three quarters of a century, they were again trusting to the same thing, devising a remedy for the same disorder, and applying the same quackery to the disease, which had entered into the very body politic. Did they really think it would be more efficacious in arresting crime than the Act the preamble of which he had just read, and of which the present Coercion Bill was neither more nor less than a continuation? No; experience was against them; they must go to the root of the evil; the whole body politic of Ireland was diseased; it was "full of wounds and bruises, and putrefying sores;" the people of the country disliked and disrelished the law of the land as it existed: till they could change that feeling, and prove to the people that the law existed not for their coercion, but protection—till they could make them love it, instead of hate it—so long would they combine against it. It should be remembered that, since the Union, the absence of a coercive law had been the exception, not the rule; and till they could win the affections of the people to the side of law and order, so long would their nostrum fail, so long would they be compelled to resort to unconstitutional measures, which ended in nothing but exasperating the people. He (Sir W. Somerville) wished that he had sufficient weight and standing in the House to be able to impress those truths on the mind of the Government. They had, however, been propounded and brought forward before by some of the wisest and best men that either Ireland or this country ever saw; but even Mr. Grattan had failed in his endeavours to give effect to them. He would read one extract from a speech by Curran, in which he said—

"Penal laws have always more exasperated the people when the infliction of the penalty has gone beyond the crime."

They were now, in the same spirit, inflicting transportation for seven years for being out of doors after sunset. He contended that the longer these laws were brought into operation—the longer a proper remedy for the social evils of Ireland was delayed, the more would all endeavours to improve the character of the population fail in their object. He begged hon. Members, in discussing this question, not to be led away by their feelings. He knew they were all apt to be so. The noble Lord the Member for the West Riding of Yorkshire (Lord Morpeth) had on a former evening, with the ability which the noble Lord always evinced, alluded to the dreadful murder of the late Lord Norbury, and had depicted in forcible and eloquent terms the shock which his feelings had received when the intelligence of that fatal catastrophe reached him; but would the Bill now before the House, if it had then been the law of the land, have had the effect of arresting the arm of the assassin of Lord Norbury? No, it would not have been of the slightest use. At present the bulk of the population of Ireland believed themselves to be out of the pale of the law; and was it surprising, then, that they should frame a code of laws of their own? The same thing had been done nearer home. For example, in Scotland crime had been committed, sanctioned, and winked at by the great body of the people, when they thought that the laws were against them, and that individuals were employed to introduce a system which was obnoxious to the population of that country. Witness, for instance, the murder of Archbishop Sharpe, when the crowd allowed the assassin to recede without a single arm being raised to arrest his progress. So in Ireland, when the feeling prevailed that the laws in force were not intended for the protection of the great body of the people. They must be shown that they were cared

for; that it was felt that there were other people in the land besides landed proprietors and magistrates, the high and wealthy; and that the people had in the law at least a protector. He knew it might be asked of him, what grievances the Irish people had to complain of. He answered, that there was not an institution in that country which did not require amendment and reform. The municipal institutions, the elective franchise, and, above all, the poor law, called for and demanded attention and amendment. The rich were not sufficiently taxed; the poor must have a greater share of the wealth of that country. What that share ought to be, was not a question at present to be entered upon. The people were, as Mr. Burke said, fretted with a feverish existence, and were indisposed to addict themselves to agriculture, commerce, and other industrial pursuits; they looked to the Legislature for relief, and from the Legislature they received such a measure as this. It might be said, and he acknowledged it with gratitude, that there was a surcease of crime in Ireland; and it might be said by some that it was owing to the debates which had taken place in that House, and to the fact that the Bill had passed the House of Lords, and been read a first time in the House of Commons. He should be surprised if any Member from Ireland made such a remark. The people who committed these crimes had little knowledge of what passed in the House, and cared less. They were wound up to a pitch of exasperation from the state of misery in which they were immersed, and they regarded all that passed in Parliament, of which they knew very little, with perfect indifference. He could not close the few remarks which he had felt it his duty to make without calling the attention of the House to the time at which this Bill had been introduced, and the career it had run through the two Houses of Parliament. He hoped to receive the support of the noble Lord the Member for Lynn (Lord G. Bentinck), and of the hon. Member for Shrewsbury (Mr. Disraeli), totally irrespective of the merits of the Bill, but solely on account of the manner in which Ministers had introduced and had conducted it. On the 22nd of January, Her Majesty recommended to Parliament to consider whether any measures could be devised calculated to give increased protection to life. That was on the 22nd of January; and he begged the attention of the House to this, because he hoped for the support of the noble Lord on account of the manner the Government had conducted the measure. Her Majesty having thus alluded to the subject on the 16th of February, nearly one month afterwards, when, as he begged his noble Friend to remark, there was no business of importance before the House of Lords, a Bill for the Protection of Life in Ireland was presented. On the 20th February, the Order of the Day for the second reading of that Bill, which stood for Monday, was read and discharged. There was an end of that measure. A new Bill was then presented and read a second time on the 23rd February, more than a month after Her Majesty had called the attention of Parliament to the subject, and ordered to be committed. The Committee again put off their deliberation, and yet again; but still all this time assassination, according to the representations of Government, prevailed to an awful extent in Ireland, and there was security neither for life nor property in that unhappy land. It was not until March the 13th, that the Bill was read a third time in the other House; and it was not until the 30th of March that (after an interval of about a fortnight from the time it was first brought in) its first reading was proposed to the House of Commons. And now—on the 8th day of the month of June—five months after the opening of Parliament, they were assembled to discuss the propriety of giving the second reading to a measure which, at the commencement of the Session, Her Majesty's Ministers described as one of paramount and immediate necessity. The conduct of Government in permitting such delay in the enactment of such a measure was utterly without excuse, and proved more eloquently than could a thousand arguments, that the measure was in itself wholly uncalled for. Now, he would put an hypothesis totally irrespective of the merits of this Bill. Supposing that it was in Yorkshire, in Dorset, or in Durham, that crime existed to such an appalling extent as to render the introduction of such a Bill necessary, would the English representatives—the men to whose charge the rights and liberties of the English people were committed—permit that the Bill should be hung up periodically, every now and then, and that for five months the Government should play fast and loose with it, just as the Government pleased. He begged leave to ask the noble Lord the Member for Lynn whether he would allow such delay, such vacillation, such shameful

procrastination, in the case of an English Bill? And if not, on what principle would he tolerate it in the case of an Irish Bill? He begged leave to remind the noble Lord of the words which he had used in that House on the 22nd of March last. On that occasion the noble Lord had declared that if Her Majesty's Ministers, by forcing on this Bill with great haste, gave practical proof that it was absolutely and indispensably necessary for the preservation of life and property in Ireland, both of which were in danger in that country, he and his party would be prepared to aid the Government in carrying out the Bill, the object of which was stated to be the prevention of assassination. But, the noble Lord added, that if striking proof were not given of the sincerity of the Government's conviction that the Bill was absolutely and indispensably necessary, he was not prepared to say that he or his party would support a measure which, in itself, was certainly harsh and unconstitutional. Such was the language used by the noble Lord in the month of March; and he asked the noble Lord whether the delay which the Government had permitted to take place in the passing of this Bill had not proved irresistibly that no cogent, no adequate occasion existed for the measure, and that, being a severe, a penal, and an unconstitutional Bill, it ought not to be opposed? If it were necessary, not one day, not one moment, should have been lost in passing it. True, he made a Motion long since with a view to have the Bill postponed; but he then considered it totally unnecessary, and he held the same opinion now. He then, as now, was impressed with the conviction that it was not only totally unnecessary, but that it would be totally ineffective to repress the evils of Ireland; and this being his feeling, he could with perfect consistency propose that other measures should take precedence of it; but after the delay which Government had permitted, proving that no actual occasion existed for the measure, he should like to know on what grounds hon. Members would now support it, who heretofore justified their advocacy of it solely and exclusively on the plea of its necessity. Quite irrespectively of the merits of the Bill itself, he hesitated not to say that the Government had by their conduct disentitled themselves to the support of the independent Members of that House. He did not mean that this observation should have exclusive reference to their conduct in permitting delay. The course they had pursued with regard to the Bill was in all respects most extraordinary, most exceptionable. In a measure of this description Government had no right to ask in the first instance for larger powers than they were prepared to take. It was a most unconstitutional proceeding. They should have applied for the minimum of power, and have been content with it. But first of all this Bill was to be a permanent measure. A noble personage in another place started up and said, "Don't make it permanent; let it last only for three years;" and thereupon Government consented that its existence should be limited to three years. Then, again, the punishment originally contemplated under the Bill was transportation for fourteen years; but another noble Lord rose up and said, "make it seven years," whereupon the Government immediately concurred. Fourteen years or seven, it was all the same to them. And were the lives, liberties, and civil rights of the people of Ireland to be trifled with in this manner? He could not bring himself to believe that conduct such as this, characterized as it was by deliberate procrastination and an utter want of knowledge on the part of the Government of their own will, and of the powers necessary for the suppression of the evils felt in Ireland—he could not, he re-repeated, bring himself to believe that conduct so extraordinary, so reprehensible, would meet with the sanction of that House—nay, he confidently predicted that the result of the division would show that the House was resolved to stigmatize it with their strong reprobation. He called on all who prized liberty, and valued the constitutional rights of the subject, to support his Amendment; and, above all, he called upon the noble Lord the Member for Lynn to be true to his own words, and to carry out his engagement by withholding his advocacy from a measure which the Government had, by their delays, proved to be unnecesssary, and into which they had introduced such changes as showed that they did not know their own will, nor clearly understand what measure of power they required. The present was the first Motion connected with Irish affairs which the noble Lord the Secretary of State for Ireland had made; and as he had a great respect for his noble Friend, and felt grateful to him for the anxiety he had exhibited since the brief period of his accession to office to do his duty towards Ireland, he felt deep regret in finding himself compelled by duty to oppose his Motion; but really the Bill now under discussion was, in all

respects, so objectionable, and the conduct of the Government in reference to it so reprehensible, that he had no option but to give to the measure the most determined resistance. The hon. Baronet concluded by moving that the Bill be read a second time that day six months.

MR. BERNAL seconded the Amendment. He observed, that though he had not said much as to this question, he had felt much, and he was convinced of the impolicy and inutility of this measure. He felt that in pressing this measure they were not advocating one which would prove advantageous in any respect to the interest of Ireland, nor instrumental in any degree towards the removal of the evils which prevailed in that country, and which they all so deeply deplored. It might, perhaps, be charged against him (Mr. Bernal) and those with whom he usually acted, that on former occasions, when the preservation of the public peace in Ireland, and the suppression of crime and outrage in that ill-governed country, were objects greatly desired, they supported severe measures resembling in some respects the present. He admitted the charge. It was true that in past years he had supported measures brought forward in the hope of restoring tranquillity and good order in Ireland; but he was sorry to say that the good results accruing from the operation of these measures were but temporary and evanescent, and he was not convinced by practical experience of the salutary effect of introducing such enactments. In the year 1846 they were called upon to sanction a measure inflicting the penalty of transportation on persons for being absent from their homes after sunset; but he asked hon. Gentlemen opposite whether they were prepared to say this harsh and severe measure was the chief the only remedy they purposed applying for the welfare of the unfortunate millions who were starving in Ireland? [Colonel WOOD: No, no!] The hon. and gallant Member cried "No, no!" but would he favour the House so far as to explain what were the remedial measures he was prepared to advocate? What other measures than this Bill of pains and penalties was he prepared to support? Hon. Gentlemen opposite mistook the malady of Ireland. They dealt with it with a strong and surgical hand, frequently applying the lancet and the probe; but they neglected the true remedy—palliatives. For years nothing could be more deplorable than the condition of the Irish people. In Ulster there might be comparative prosperity; but in three-fourths of Ireland misery, destitution, and wretchedness met the eye in every direction. How could tranquillity, good order, and decorum prevail amidst such a state of things?

[At this stage of the debate, there being apparently about twenty-five Members present, Mr. DILLON BROWNE moved that the House be counted; but the requisite number having been found to constitute a House, the debate was resumed.]

MR. BERNAL resumed by observing that the attendance on that occasion was a proof of the apathy with which questions relating to Ireland were regarded; and if any additional proof were needed of the non-necessity of this measure, it would be found in the fact that, at eight o'clock in the evening, there were barely forty Members of the House present, when this Bill was expected to be read a second time. He feared the measure had been discussed *ad nauseam;* and throughout the discussion he had not heard a single argument, or a single additional fact, to convince him of the necessity for passing any such measure at present. It was an old argument against the measure, but one which had never been controverted, that the Bill sought to prevent assassinations and murders in the open daylight, by punishing those who were absent from their houses in the night. What, then, was the ground for such a measure? Much had been said about its moral effect. He should like to know where that was to be found? If a man was determined wickedly to injure another—to take his life or to maim him in person—he would do it by open daylight as well as by night. By far the greater portion of the atrocities committed against the person in Ireland, had been committed in open daylight and in the presence of witnesses. The case of Lord Norbury, and many other instances of assassination or attempted murder, might be cited. And, strange to say, taking the world at large, the same rule prevailed. Looking to a neighbouring country, we found that most of the attempts on the life of the King of the French had been made in open daylight; and if we searched the world over, we should find that some of the most desperate crimes had been committed in broad day, without the veil of darkness to conceal the perpetrators from discovery. That argument against the measure had never been rebutted. But could it be imagined that

the complaint which had prevailed for years in Ireland, had arisen from anything else than a general feeling of want and destitution on the part of the people? He would ask the right hon. Gentlemen opposite what had been their main argument for introducing the Bill for the repeal of the Corn Laws? Was it not the plea of the destitution and famine prevailing in Ireland? And was there a Gentleman present who was not prepared to corroborate that argument—that the people of Ireland had been for centuries in a state of the lowest degradation and poverty? From the humane attempts that had been made by Government, and which in several parts of Ireland had been very worthily seconded by local exertions, the distress had been in a great measure mitigated, and the feelings of exasperation allayed; and, in many parts of the country harmony and comfort had followed in the train of these blessings. But he must ask hon. and right hon. Gentlemen opposite, who were no doubt sincere in their support of this measure, why, if the measure were really wanted, had the Bill been so long and so unaccountably delayed? Why, in the month of June, was this measure still awaiting its second reading? In Her Majesty's Speech it had been alluded to in marked terms; yet, in the second week in June it had advanced no further than it might have done in the second week of the Session. If this or any similar measure were required to maintain the public tranquillity in Ireland, was it credible that Parliament should be now only discussing the second reading? If Ireland had been in such an alarming state in December, why had no legislative remedy been administered till June? He, for one, had thought they should never hear of this Bill again after the recess; and great was his surprise at finding it again introduced to the House. The right hon. Baronet at the head of the Government had, from a mistaken notion about a point of honour, thought it necessary to show some support and consideration to a Bill sent down from the other House, and had consequently pressed the first reading; but he had never thought it would be reintroduced, and several Gentlemen in the House had entertained the same view, and were now deceived. There might be gentlemen in Ireland who were anxious to protect themselves in the enjoyment of their property, and who approved of this measure; and there might be Gentlemen in this country, who, listening to the statements that had been paraded respecting Irish atrocities, would be ready to support such a Bill in any shape; but he ventured to say that if England were polled through, there would be a very small minority in favour of this measure. The people of this country had too much sense to believe, after the accounts of destitution and want of the common necessaries of life which the Irish people had been encountering for years, that a Bill which proposed to send a man to Van Diemen's Land for being absent from his house after sunset, was the proper remedy for such a state of things. The framers of this Bill had not displayed even the most ordinary consideration for the situation of the people of Ireland. How were the customary occupations of farmers and farm labourers in that country to be carried on, so as to allow the men to return to their houses in time to avoid the absurd penalties enforced by this Bill? [House again counted, and again continued.] He gave Government credit for the precautions they had taken for keeping down the price of provisions in Ireland, and for showing that there was a desire on the part of the Legislature to relieve the prevailing destitution. The steps thus taken were highly creditable to Government, and had tended to create a moral feeling in their favour. It was much to be regretted that other circumstances of recent occurrence there had had an opposite tendency, had weighed very heavily upon the energies of the people, and had tended to alienate those in both countries who had given Ministers credit for sympathy with the Irish people. He was told that the juries in Ireland were not selected impartially with regard to religious creed; and a feeling was consequently prevalent that those who came before them had not a fair chance for protection and for an impartial hearing. These things, if true, demanded the earnest attention of the Government, and formed an additional argument why they should be cautious in passing any such legislative measure as the one now proposed. There could be no doubt that the distress was at the bottom of all the evils of Ireland; for where distress prevailed, and where men's minds were, in consequence, pained, and rendered morbidly sensitive, they were prepared to adopt the suggestions of any ill-designing parties who might be stalking about the country, exciting them to insurrection, and to acts of atrocity and violence. Year after year

the Legislature had been told that the small holdings of land among the peasants and smaller farmers was the cause of one-half the evils that oppress Ireland. This had been reiterated and impressed upon Government in a variety of forms; and yet nothing whatever had been done towards applying a remedy to this state of things. After so many experiments had been tried, and had led to failure instead of success, it was surely too late now, in 1846, to think of healing the wrongs of Ireland by such a measure as this. He begged to ask right hon. Gentlemen opposite if it were true that certain noble persons in another place, who had expressed an opinion favourable to this measure when it was before their Lordships' House, had since expressed an opposite opinion? [Sir R. PEEL could not take upon himself to affirm that.] It was, he believed, a fact, that some noble Lords connected with Ireland had changed their opinions. Was that an argument in support of this Bill, or was it not, rather, a strong argument against proceeding with it further? At all events, it was evident that the number of supporters of this measure had diminished. If these noble persons had been induced to support this measure on certain grounds on which it was recommended to their consideration, it was fair to presume that they had seen equally good grounds for abandoning their support of it. This measure had been delayed from February till June, though it was declared to be a measure that was necessary for the salvation of Ireland, for the preservation of the peace and tranquillity of that unhappy country, and for the repression of atrocities, crime, and attempts at assassination; and they were now, in the month of June, discussing whether it should be read a second time or not. Was such a thing ever known in the legislation of this country? It was more like a romance, and more fitting for the climate of Mexico, or some of those countries which were but just trying their hands at legislation. But it was scarcely to be believed that the Parliament of Great Britain, after sitting in consideration upon so many important measures, and advancing them as their importance demanded, should now, on a sultry evening on the 8th of June, be discussing whether this Bill should be read a second time—a Bill which had been alluded to and recommended in Her Majesty's Speech at the opening of the Session. It was not creditable to the Legislature as a body—he said nothing about either one party or the other—that such should be the case. The state of the House at that moment—[there were not more than forty Members present]—convinced him that this was a subject very little in unison with the feelings of this great nation, of this mighty Parliament—seeing that, at half-past eight in the evening, there was barely a House to consider this measure, or to listen to the arguments by which it would, no doubt, be supported.

[No one rising to address the House, a division was called for, but none took place.]

MR. BERNAL OSBORNE would appeal to the hon. the Secretary for Ireland, to the right hon. the Home Secretary, and to the other hon. and right hon. Gentlemen on the Ministerial bench, not to allow this important question to be put and decided in a House of barely forty Members. Notwithstanding the long pause that had taken place after the last speaker sat down, the Members of the Government had sat still in their places, whether from incapacity to meet the arguments that had been advanced, from contempt of the Irish people, or from both, it was impossible to say. He was very much inclined to think it was from incapacity, because it had been said of that noble Lord who now filled the office of Secretary for Ireland, that, with the very best intentions, of any real knowledge of the condition or wants of Ireland he was as innocent as the child that was unborn. And he understood that that noble Lord had been obliged to run and ask questions of the noble Lord who had been Secretary for Ireland, the Earl St. Germans. [Lord LINCOLN: I never asked any questions at all.] He hoped, then, the noble Lord would ask some questions; for he believed there was not a more ignorant Member in the House, on the subject of Ireland, with the best intentions, possibly, than the noble Lord, the late unsuccessful candidate for Nottinghamshire. An anecdote had been told him that that noble Lord had found out that it was necessary to reside six years in Ireland before any one was at all qualified to give an opinion on Irish affairs. The noble Lord had now been six months in Ireland; so that it might have been supposed he had come down, ready primed, to give some answer to the Amendment that had been moved, and the arguments by which it had been enforced. Passing by the noble Lord the Secretary for Ireland, he would call on the right hon. Baronet the First Minister of the Crown, not to suffer this Bill to end in

this way. If he did not choose to come forward himself, let him put forward some of his pawns to open the contest for him. It was not treating the House, or the country, and especially Ireland, with proper respect, to suffer an important question of this nature to go to the House when it was in such a state.

The EARL of LINCOLN said, that he could assure the House, and the hon. Gentleman who had just made an attack upon him which he could not think was quite justified by the circumstances that appeared to have led to it, that however ignorant he (the Earl of Lincoln) might be upon Irish affairs, he had come down to the House with the fullest intention of rising immediately after the seconder of the Amendment had concluded his speech, to explain his views and those of the Government with regard to the measure. But when he found that two attempts had been made to count out the House within ten minutes—when he looked at the benches opposite, where sat the hon. Member who had charged him with offering insult to the Irish people, and saw but three or four of the representatives of Ireland, occupying their seats there—when he saw that such was the interest which the hon. representatives of Ireland themselves bestowed upon this question, he did certainly think that he should be acting a more becoming part, nay, that he should be showing more respect to the Irish Members themselves, and to a question involving the interests of the Irish people, if he, however ignorant an individual he might be, yet happening to occupy the responsible position of Irish Secretary, did endeavour to postpone, until a later period of the evening, when probably the Irish Members would have been in attendance, those observations which he should certainly not shrink from making in the presence of any of them; and he was most anxious, therefore, that those hon. Members should have been present when he had had the honour of addressing the House. Had he willingly risen at this period of the debate, nothing was more probable than that he should have been taunted, at a subsequent stage, with having risen at a time when nobody could have expected it, and with shrinking from allowing the Irish Members the opportunity of hearing and answering him, by purposely taking that occasion of explaining his views. He hoped he had exonerated himself—if not in the opinion of the hon. Gentleman opposite (Mr. B. Osborne), at least in that of other hon. Members present—from the charge of intentional disrespect to Ireland; and had shown that, on the contrary, he had acted, according to the best of his judgment, in the manner which he considered the most respectful to the House at large, and to the Irish Members in particular. He had certainly not intended that the House should be taken by surprise by a division at this hour on the question; but he had most fully anticipated, when hon. Gentlemen saw that he did not think it becoming to rise, that others who wished to take part in the debate would have done so. It was a matter of perfect indifference to him at what hour of the evening he addressed the House; he was not so vain as to expect any large attendance; he knew it was his duty to address the House in the course of the debate; and though hon. Gentlemen were not in attendance, he was perfectly ready to address the House now, as he should have done at a later period. He could assure the hon. Gentleman who had made this violent assault upon him, that he would now dismiss that part of the case entirely; he would most cheerfully avoid all irritating topics, and would make no personal or party allusions. He would endeavour to confine what he had to say entirely to the defence of the Bill now before the House, and to the justification of the provisions it contained. The hon. Member for Drogheda (Sir W. Somerville) at the conclusion of his speech, had said it was with pain he rose to move an Amendment to the first Motion which it had been his (the Earl of Lincoln's) official duty to make, in his situation of Secretary for Ireland. With no less pain did he perform his official duty, for the first time, by moving the second reading of this Bill; and while every Member of the Government participated in that pain, they felt it was a duty from which they ought not to shrink. Entering upon the question with this spirit and these feelings, he scarcely needed to assure the House that he would not willingly diverge from the question before it, nor endeavour, by any taunts of inconsistency against hon. Members, with regard to their conduct on former Bills of a like nature, to lead the House from the consideration of the subject before it. In the debate on the first reading of this Bill, the Government had been subjected to two counter charges with regard to the course they had pursued. They were told by some hon. Gentlemen opposite, that they had introduced this Bill without reason—without excuse—without

justification. By another party—he alluded more particularly to the hon. Gentlemen occupying the benches below the gangway (the protectionists)—they were told that this measure had been delayed too long, that they ought to have legislated on this subject earlier. At any rate, the first part of this charge was disproved by the debate that took place on the first reading; for, in spite of the assertion of the hon. Member for Drogheda with regard to the complete failure of the Government in that debate, he maintained that grounds had been laid such as had ever been held sufficient on former occasions with reference to Bills of this nature; and that a complete proof was given of the existence of a state of things in Ireland which justified an enactment of that kind. So strongly was he of that opinion, that he should have hesitated, but for the assertion of the hon. Mover of the Amendment, to introduce further proofs, thinking that it would be needlessly delaying the House. He might appeal to the whole policy of the Government, since they had taken office, as a contradiction to the assertion that this Bill had been brought forward without reason and grounds for so doing. He would call to the recollection of the House that the Act of 1835 had expired shortly before they accepted office. Did they call upon the House to renew that Act? Certainly not. For five years the government of Ireland had been conducted without recurrence to legislation of this kind. For five years—one of the longest periods in the last fifty years in which no measure of this kind had existed—had the present Ministry carried on the government of Ireland without resorting to a measure giving the Executive extra-constitutional powers. He would remind the House that the Government were charged with too great readiness to adopt such a measure, without reason and justification. What had been the course and policy of the Government as regarded measures of protection, or of coercion, as some hon. Members were pleased to call this measure? Did they not find laws of a similar kind in force? He alluded particularly to the Party Processions Act; they allowed that Act to expire. What did they do on the renewal of the Unlawful Oaths Act? They rejected one of its provisions which was most obnoxious to the Irish people, and of which they justly complained; and even if he took the Arms Act, to which the feelings of the House and the noble Lord now sitting at the bar (Viscount Clements) gave a long and strenuous resistance—many of its stringent provisions were omitted, and few persons there were who would not say that the present was in some respects a mitigation of the former Act. But they were told, on the other hand, that they had delayed this measure too long. He did not think this was a charge that could well lie at their door, though there were circumstances last year which warned them that some legislation of this kind would become necessary. But of the two charges, if he were guilty of either, he would be most ready, on behalf of himself and of his Colleagues, to bear the latter. He would not lightly and prematurely bring forward such a Bill; and he did not think it a very heavy charge that they had delayed this measure as long as it was compatible with their duty, and had waited to see whether other measures would not produce the results which might now be effected by this Bill. In the last half of his speech, the hon. Member for Drogheda made a charge which somewhat surprised him, though he admitted that it was good generalship to put it as one of his leading arguments. He could not but recollect, when the hon. Baronet charged the Government with grossly neglecting this Bill, and read the dates of its different stages, that the hon. Baronet was the very individual—and he had the candour to admit it—who, upon the first reading, moved the postponement of the Bill to a future day, in order to give precedence to the Corn Bill; and the hon. Baronet was thus a participator in the offence with which he charged the Government. He thought they might have been spared these imputations, when the right hon. Baronet at the head of the Government was charged in the preliminary debates before the adjourned debate on the first reading, with being unfaithful to his measure on the Corn Laws by pressing the first reading of this Bill. He admitted, owing to circumstances over which the Government had no control, that the different stages of this Bill were not rapidly taken; but his right hon. Friend had pledged himself that, except the first reading, no stage should be taken till the Corn Bill and the Tariff had passed the House of Commons. The hon. Baronet stated that this Bill was unconstitutional. It was unnecessary to state that, for he believed there was not any one in the House but knew that it was unconstitutional; and such must ever be legislation of that character; and every Ministry which had in-

troduced a measure of that kind had admitted it to be unconstitutional. He admitted also that it was only to be justified by a stern necessity, and by a state of things in which life and property could not be maintained by any enactments confined within the Constitution. Unless he proved such to be the fact, he had no right to introduce a measure of that kind. They were told that it was an infringement of the liberty of the subject. It might be so; but at the same he asked whether, if they fairly looked at it, it was not more a measure of protection than of coercion? When they talked of the infringement of the liberty of the subject, what was that liberty in some parts of Ireland? It was the liberty of murder and outrage. The noble Lord (Viscount Clements), who was well acquainted with one of the five counties, cheered him, and no one knew better the fact he was mentioning; there was no liberty for the peaceful, and he apprehended it was the peaceful that it was the duty of a Government to protect. The liberty of the peaceable, and orderly, and loyal, was now infringed; and it was to protect their liberty, to maintain the law, and to re-establish moral and social ties, that the Bill was introduced. It was for these purposes alone that the Government sought these powers; and if the House consented to pass the Bill, it would be for these purposes alone that the Government would consent to use them. Real liberty and lawlessness could not co-exist; and if they were to protect liberty, lawlessness and outrage must be suppressed. His right hon. Friend (Sir James Graham) had shown, by statistical accounts, the state of things which existed, not throughout the thirty-two counties of Ireland, but in five counties; and, though they were told they brought an indictment against Ireland, it was only five counties against which they made the charges; the rest of Ireland was exempt; and as the charges would not be applicable to any other than the five counties, so he would not justify the measure by reference to any others. The hon. Seconder of the Amendment had talked of the "philosophy of nations." If the philosophy of the nation were studied, it would be found that these evils were always local; they were an endemic in Ireland; but he feared they were also contagious. Of the five counties in question, now affected, four were exempt in the year 1833. Tipperary was then the only one of the five counties now afflicted with this grievous calamity; the other four were exempt; and Leinster, which was now most orderly, was then the most disturbed, and called for the measure of 1833. [An hon. MEMBER: That Act never came into operation.] The hon. Member says that that Bill was never brought into operation; no, nor was the Bill of 1835. But was that an answer to the Motion that this Bill be read a second time? Quite the reverse. The effect was produced without acting on the Bill; and was the hon. Gentleman such an enemy of enactments that he would grudge the passing of such Bills, because there was no expectation of their being put into effect? He thought that in making that statement, the hon. Gentleman had only proved that such Bills were successful in that way which was most desirable, and held out an encouragement to pass this Bill through its remaining stages. As he had said before, so many instances were brought forward to prove the necessity of the measure, that he hesitated to trouble the House with any more on this occasion. In moving however, for the second reading of this Bill, it was necessary rather, by producing accumulative instances of crimes of a peculiar nature, than by quoting a few striking and startling occurrences, to lay the foundation for the passing of such a measure. The hon. Baronet who moved the Amendment had stated, that he conceived the Government were bound, in introducing this measure, to do three things: the first was to prove the necessity of some measure of the kind; the second, that they had already attempted, through the instrumentality of the ordinary law, to effect the object for which this Bill was intended, and had failed; and, in the third place, they were bound to prove that there was a fair prospect of the Bill being effectual for its purpose. He admitted that the hon. Baronet had made a fair representation of the duties of any Government who introduced such a measure as this; and if they had not already proved the case sufficiently, he was perfectly ready, although he feared it would be at the risk of troubling the House, to endeavour still further to strengthen it, and to establish the fact; but before he proceeded he might be allowed to refer to a statement put forward by several hon. Members, but by none so strongly as by the hon. and learned Member for Cork, both in the speech he addressed to the House on the first reading, and, if he might say so, in the Amendment he had placed on the books with the intention of bringing it forward that evening,

but which he had withdrawn—namely, that these disorders were principally, if not entirely, of an agrarian character, and that the right mode of meeting them was not by legislation for the protection of life and property by Coercion Bills, but by introducing measures regulating the relative positions of landlord and tenant, and other measures of that kind. Now, he must say, that a careful examination and analysis of the criminal returns completely disproved that statement; and he thought he should be able to establish—although he did not deny that the origin at some antecedent period of this disordered state of Ireland was more or less connected with land, and although he admitted that at the present day a great many of the outrages in Ireland did arise out of disputes about land, yet—that the hon. and learned Member was not justified in his statement either that the majority or a great proportion of the crimes in the five counties he had referred to, originated in disputes about land, or assumed what was called an agrarian character. He believed he should be able to prove that not only the relations of landlord and tenant were interfered with, but also every other social and domestic relation of life, and that the hon. Baronet who moved the Amendment was indeed justified when he used that strong expression that the whole body corporate of Ireland was diseased. In order to prove that part of his case, he thought he could not bring witnesses from a more unprejudiced source than from that Commission instituted by the Government, and which about eighteen months ago presented its report—he alluded to that Commission over which the Earl of Devon had presided. He was aware that, unfortunately, the evidence and the appendices to that report were so voluminous that a great many hon. Gentlemen, whose duty it might not be specially to refer to them, might have overlooked much valuable matter in them. But he wished specially to draw the attention of the House to the report, contained in the appendix to the first volume, of Lieutenant Colonel Miller, superintendent of the police. The return was called for with the view of ascertaining, as he supposed the Commission expected to find, whether disputes about land were at the bottom of most of these outrages. This was the return of the Constabulary-office during 1844, distinguishing those offences that were of an agrarian character. In the course of that year he regretted to see the alarming number of 6,337 cases of outrage in Ireland. He believed at the same time that that was not greatly beyond the ordinary number. Of that number 5,336 were not of an agrarian character, leaving only 1,001 which participated in any respect in that character. But even that did not present a fair return, for included in that number of 1,001 agrarian outrages were 417 threatening notices. Now, he thought that those who were acquainted with the subject would admit that, although unfortunately a great many of those notices were of a serious and alarming character, yet they could hardly be included in the same category with other offences of an agrarian character; and in order to show a fair return they ought to have deducted these offences from the numbers he had given, both from the total of offences of an agrarian character, and also from the total of offences not agrarian; but if they went into minuter particulars, he thought the case would be stronger still. Thus, of incendiary fires 404 were not of an agrarian character, and only 121 were of that character. Of assaults endangering life, 238 were not of an agrarian character, whilst only 12 were. Again, there were 465 aggravated assaults not agrarian, and only 40 of an agrarian character. For firing at the person there were 67 not of an agrarian character, and only 26 of that character. Of homicides there were 127 not agrarian, and only 18 agrarian. So far as that was of importance, he thought it clearly showed to the House that the statement made by the hon. and learned Member for Cork—and he evidently had attached considerable importance to it—was not borne out by refereuce to facts and figures. [Mr. B. OSBORNE: How are they classified?] They were classified as "agrarian" and not "agrarian," by the special direction of Lord Devon, who requested Lieutenant Colonel Miller to make a return, for the purpose of exhibiting the results; the members of the Commission, no doubt, entertaining the opinion, as he believed most persons did at that time, that the result would turn out very different from what it did. In further exemplification of this part of the case, he would refer to the returns which he had laid on the Table of the House last Friday, but which were so bulky that many hon. Gentlemen, he was afraid, had not been able yet to have read them with that care which he hoped they would give to them at a future time; and he thought, if they would inspect them,

they would find that what he now stated was more than borne out by those documents. But he hoped the House would not feel that he was trespassing too much on their patience if he ventured to read some extracts from those returns, as exemplifying this part of the case. They were classified, as well as the shortness of time had allowed, under different heads, and he thought they would show to the House the real social state of Ireland in the five counties to which allusion had been made. He had omitted one class of crime—the robbery of arms, which had been, under all circumstances, so common, that he would not trespass upon the House by mentioning it further. He did not understand why the hon. Gentleman cheered. [Mr. B. OSBORNE: That crime has increased since the Arms Bill.] He was not prepared to deny that that was the case. He was, however, quite prepared to assert, that he believed the measure now under consideration would be more likely to be effectual in the repression of that crime than any more stringent Arms Bill. At the same time he might be allowed to say, that perhaps some blame attached to the hon. Gentleman himself, and those who had acted with him in the passing of the Arms Bill, in regard to the course they took, depriving it, as he believed, of some of its efficiency, although not materially altering its character. [Mr. B. OSBORNE: The Home Secretary said it was a failure.] He had already stated that he was not prepared to deny that there had been an extension of the robbery of arms within the period since the passing of that Bill; and he, therefore, hoped the hon. Gentleman would admit that if his right hon. Friend had so stated in that House (he was not aware that his right hon. Friend had made any such statement), he was not stating anything at variance with it. The first class of cases which he would read from the Papers he had laid on the Table of the House last Friday, arose out of disputes between landlords and tenants, but were not of that character which regarded the holding of land, and were therefore not designated as agrarian. The hon. Gentleman might think he was making a large exception; but, in the first place, the class to which he referred was extremely small; and, secondly, he thought when he read those cases to the House the hon. Gentleman would agree with him, that there was a broad distinction between them and cases of a strictly agrarian character. He would also state, that in most of the cases to which he should refer, when the time was stated, it would generally be found that the night was the time of the outrage. He would now proceed to read some of the extracts:—

"At half-past 9 p.m. a party of about sixteen persons, armed with sticks, and faces blackened, came to ——'s residence, inquired for him, and on being informed by his wife that he was absent, they very severely beat his two sons (young men), desiring them to tell their father not to tyrannize over his tenants."

MR. B. OSBORNE: Was that agrarian?

The EARL of LINCOLN submitted that, as he had already said, it participated somewhat of an agrarian character, but that it could not strictly be so designated. If the hon Gentleman (Mr. Scrope) would refer to the returns, he would be able to substantiate completely for himself that which he asked from him (the Earl of Lincoln) as a matter of opinion; because those returns had been so classified into cases of an agrarian character, that if the hon. Gentleman differed from him in opinion, he would be able to see how far he (the Earl of Lincoln) had been led into error; but the crimes had been classified in a way which he believed to be just.

"On going away they searched the out-offices, and finding ——'s horse, they disbelieved the story of his absence, and returning to the dwelling, they narrowly searched it until they found ——, whom they severely beat, cut, and bruised, threatening worse treatment if he did not use his tenants with more kindness; and compelling ——'s wife to hold the candle for them while this was going forward.

"——, it appears, had latterly endeavoured to get some money from two or three cottiers who had for years occupied cabins on his land, but who had always refused to pay rent.

"—— publicly denies all knowledge of any of the assailants, but admits to the police—[he begged to call the attention of the House especially to this part of the case]—that he knows some of them, and is willing to lodge informations privately, after he shall have sold his stock, &c., preparatory to leaving the country, as he considers it unsafe to remain, and that he could not effect the sale were he to come forward publicly."

That occurred in the county of Leitrim. As the hon. Gentleman expressed some doubt with regard to that class of cases, he would read no further extract from them; but he apprehended there would be no difference of opinion with regard to the others to which he was about to refer, unless it were with respect to those of forcibly compelling servants to leave their service, although he himself had no doubt upon the subject of how such crimes should be designated. The first case was on the

29th of January, 1845, in the county of Leitrim :—

"This evening a party of six persons, two of whom were armed, entered the house of M'Inertney, and beat him and his son, because of his permitting another son to remain in the service of a man named Crotty, who is bailiff to Mr. Tomkins."

There was another case on the 1st of November, in the same county :—

"About 1 o'clock, p.m. two persons armed with sticks, entered the stable of Mr. Pierce Simpson, justice of the peace, and grievously assaulted his servant James Dignam. The object of the outrage was to compel Dignam to leave his situation, that others might procure employment. One of the offenders had been previously in Mr. Simpson's service."

Another on the 20th of June :—

"About 7 o'clock this morning, four armed men unknown went to where several persons were employed, under A. Sodan, making a new road, and fired two shots at some of the workmen, one of which passed through P. Coolreavy's cap."

And the last he would refer to in the same county was on the 26th of May :—

"About 1 o'clock p.m. nine persons, armed, came to where Mr. Nesbitt had men employed at work, drove them away, and fired several shots after them."

He would now take a case from Tipperary of the same class. It occurred on the 9th of January :—

"Two strangers, one armed with a blunderbuss, the other with a bludgeon, went to the house of Denis Gleeson, who was herd and caretaker to Mr. W. Wells, of Ballycormack, King's County, burst open the door, put Gleeson on his knees, and swore him on a book to quit the place within a week, giving him at the same time two blows on the head with the bludgeon, from the effects of which he was for some time dangerously ill. Gleeson had replaced another who had been dismissed about seven years ago."

MR. SHEIL : What was the hour ?

The EARL of LINCOLN : It was not stated; but he assured the right hon. Gentleman that he would suppress nothing that was material. When he first came to the Irish Office he found that in many instances the hour was not specified in the constabulary returns; but directions had been given for that to be done in future. There was another case also in Tipperary. It was on the 30th May, but the hour was not stated :—

"An armed party of four men entered Hensey's house, compelled his wife and a small boy to hold down their heads while they searched for Hensey's son. One of the party discharged the contents of a pistol at Mrs. Hensey, which missed her ; they then threatened her with death if she did not cause her husband to leave the employment of Mrs. Bennett (to whom he was steward). On their departure they fired a shot outside the house, and again loaded. One of the party threw a stone into the house on seeing a member of the family go to the door. This is the fourth attack made on Hensey to compel him to leave his situation."

He had extracted several other cases, but he was most unwilling to weary the House with them. The House would, however, perceive, that throughout those he had mentioned there was no interference too slight, and no outrage too great to effect the object, however immaterial it might appear to be. But there was one case he would read to the House, as exemplifying the minuteness of these marauders. Upon so grave and serious a subject it might almost excite a laugh, but he would read the case to exemplify that minuteness. This was an assault upon a female :—

"An armed party of three men ordered her to quit the employment of Mr. S. Low, to whom she is dairy-woman. Mr. Low's herd who was crossing the yard at the time, was fired at by one of the party, and slightly wounded. The alleged cause is that the dairy-maid is penurious in disposing of the milk to the labourers."

Another class of cases was interfering with persons discharging or employing particular servants, the sale of provisions, exercising trade, &c. In the county of Clare, on the 18th of October, in the Barony of Tulla Lower, this case occurred. There the hour was given. It was 7 o'clock at night :—

"About 7 o'clock at night, Heiher (who is steward in a steam-boat), when on his way home, was met by five men, and violently assaulted and his skull fractured. The cause assigned for the outrage was Heiher's ceasing to deal with a woman who supplied milk for his boat, and who stated that she would have revenge. One of the offenders arrested."

The next case was in Leitrim, and although the hour was the same, it was not in the autumn ; it was on the 22nd of May :—

"About 7 o'clock on this evening, as Geelan (gardener to Mr. Jones) was returning from market with a horse and cart, he was was met by three men, armed with sticks, who knocked him down, gave him two severe cuts on the head, and broke one of his fingers. On going off they told him not to go carting again."

The next case occurred in Tipperary, and was that of Michael Kennedy :—

"This man was attacked at 10 p.m. by two armed men, who first flung stones into the windows, and broke nine panes of glass, after which they fired a shot into the bed-room of Kennedy's son. Kennedy is a blacksmith by trade, and was recently employed to work for Widow Costelloe, who heretofore employed a smith named M'Harnett : the widow and M'Harnett having disagreed, she employed Kennedy, and hence the assigned reason of this outrage, got up, as is generally believed, by M'Harnett."

"Tipperary, Jan. 7, 1846.—The property of William Carty injured to prevent him sinking his coal pit."

The returns which he had laid on the Table that evening, and which would shortly be in the hands of hon. Members, were returns of outrages committed between December 31 and May 31 in the present year. In those returns he found the following :—

"March 21.—Pat Kiernan.—Aggravated assault, to compel him to purchase coal at a pit different from that he frequented."

He might give more cases of this class, because acts of intimidation of this kind showed a very disorganized state of society. The next class of outrages were those to prevent the recovery of debts or the enforcement of contracts or other rights :—

"Roscommon, July 2.—This evening Michael Donolly was waylaid and seriously assaulted by three persons unknown, because of his having served a notice on a person from whom he had purchased a cow, which did not turn out according to engagement."

"Tipperary, Jan. 26.—About 8 p.m., as John Carty was returning home from the house of his employer, Mr. Thomas Gleeson, he was waylaid, fired at, and wounded, by a party of persons unknown, because of his having (as is supposed) proved his signature to certain I O U vouchers upon which decrees were obtained at last Nenagh sessions, notwithstanding the carrying away of the original processes from the process server."

"Roscommon, April 7.—Thomas Cox sworn to give back money he had been paid ten years before."

The next class of outrages were those compelling persons to marry or not to marry, or to give portions ; and although he should only read two of these cases, yet he could assure hon. Members that they were of a class more extensive than they would at first be inclined to suppose possible :—

"Tipperary, January 31.—On this evening an armed party of persons went to the dwellings of M. Rourke, a comfortable farmer; and, having broken a window and shot his dog, cautioned him to fulfil his promise of marrying a certain female. On being pursued by Rourke, one of the said party discharged a gun loaded with powder at him, which lacerated his face."

"February 20.—Richard Dwyer's house burnt, to prevent a marriage."

"Roscommon, January 13.—John Tighe sworn (twice in one month) to marry Mary Rogers."

The next class were cases of assaults upon those who were suspected of giving information against those who violate the law.

"Tipperary, September 22. — About eight o'clock p.m. some person unknown fired a shot into his house, but fortunately without effect, the ball having passed over the heads of —— and his daughter, and lodged in the wall. —— was suspected of giving information against two persons who were arrested for an outrage on —— and were transported."

A short note had been put into his hands that evening, which he would mention, as exemplifying this part of the case. It was from an individual in humble circumstances, and showed the apprehensions entertained by persons in the lower walks of life, if they gave information. The writer had previously sent him a letter on matters connected with his office, and now urgently requested him not to mention his name during the debate on the second reading of the Coercion Bill, as it was his intention to return to Ireland. He now approached the last class in this part of the case, the outrages to prevent persons from giving evidence :—

"Leitrim, March 23.—On this evening five or six men, two of whom were armed, entered Gilluly's house, and assaulted him and his son, but not dangerously. Gilluly having prosecuted a man four years previous for waylaying his son, is the assigned cause of the outrage. The party then proceeded to Kilbrian's house, and assaulted him for having a loy iron made by a smith who is obnoxious."

"Tipperary, July 22.—Early this morning an armed party of eight persons, some of whom are known, went to Widow Shanahan's dwelling, and, having fired shots into the house through a window, warned her to quit the place by November. Cause assigned—to intimidate Widow Shanahan and her sons from prosecuting persons in gaol charged with the murder of her husband in October, 1844."

Yesterday the daily return to the Irish Office of outrages from the constabulary office in Dublin only contained five cases ; but three of these were reported to be cases of gross intimidation in the social and domestic relations of life. He would not trouble the House with the details; but he had selected the preceding particular class of cases because a statement had been made that the greater amount of outrages in Ireland originated in causes of an agrarian character. That was the reason why he had read cases that appeared to be of a trivial character, when he could easily have harrowed the feelings of the House by relating outrages of a worse description. He considered that the other part of the case was established in the previous debate; but there was one case of so peculiar and striking a character, that, as it had come into his possession since the last debate, he would read it to the House :—

"Roscommon, Boyle, April 8.—I have to report that on the 6th instant, at about eleven o'clock p.m., three men, one of whom was armed with a pistol, assaulted the dwelling of a poor

man named Thomas Kenny, and having forced open the door, one of them suddenly entered, and in a menacing tone commanded Kenny to go down on his knees, but which he refused to do without knowing why or wherefore. The fellow then deliberately presented a pistol and discharged it at the unfortunate man, wounding him in three places in the right leg, but not badly, with slugs. He then threatened to fire at him again with more fatal effect, should he continue obstinate in refusing to go on his knees, and handed out the pistol to his companions to reload for that purpose. Kenny was forced to comply, when his assailant swore him to give up possession of his holding to his brother-in-law, John Roddy, and then left the house. Kenny saw the three fellows decamping together with great speed. It appears that Roddy, the former tenant, had been ejected for non-payment of rent about seven years since, and Kenny put in possession, and contiued so since. There is no clue to the knowledge of the party. Kenny cannot identify any of them, but, I believe, would if he could."

Hon. Gentlemen might say that this case was one of the agrarian class, and he of course admitted that it was so. He thought, however, he had now established his case, that there was no relation of life that was not interfered with. It was impossible for public duties or private functions to be performed with impunity. Mayo was not one of the five counties, but a case occurred there which evinced the system of terror that prevailed :—

" I have to report, that on last night, about the hour of 8 or 9 o'clock, a party of men, about four or five in number, attacked the house of E. Walsh, and in a most inhuman manner cut off the unfortunate man's ears, and on going away fired a shot. Having voted for Mr. Moore at last election, they assigned as the cause for such brutal treatment. It appeared there was no report made to the constable at Ballyhane. Mr. Barron and I have consulted, and agree in opinion in suggesting a large reward for such an outrage in a hitherto peaceable county."

[Mr. D. BROWNE: In what part of the county?] He could not make out the handwriting, which was extremely bad; but he thought it looked like Castlefor, or some such name. [Mr. D. BROWNE: I dare say it is Castlebar, the county town of Mayo.] He thanked the hon. Gentleman, who was no doubt correct. He would continue his quotation :—

" Castlebar, April 9.

" With reference to my report of yesterday, the 8th instant, relative to the outrage on Edward Walsh, I have further to report, that on visiting the scene, I found that a similar outrage had been committed on a man named Mark Burke, residing on the adjoining townland, Bollyruck, same parish and barony; also a 10*l.* freeholder, and tenant to Lord Sligo. Neither man was injured to the extent I anticipated, and it appears, from all I could learn, both houses were attacked on the same night, the 7th, between the hours of 12 and 2 o'clock, and it is generally supposed by the same party, as the houses are only about a mile distant from each other. The party on arriving at Walsh's knocked at the front door; before it could be opened the back one was forced in, by which a dresser was thrown down and several articles broken. Walsh was laid hold of by three or four men, one of whom caught his left ear, and gave it a cut as if with a shears, but did not take off the bit. I understand it has been stitched. This is all the injury he sustained. The party entered Mark Burke's by knocking at the door. He got up and opened it, when he was immediately seized, and after some time one of the fellows cut off the upper part of his left ear. He sustained no other injury in person or property. At this house one of the party directed a candle to be lighted, but the others would not allow it. The inmates state that they did not know them. A description could not be obtained. Walsh's wife saw them after they left the house, through an opening over the door, but cannot describe them. The general opinion is that the party were strangers; if so, they must have had a guide, from the nature of the country, and situation of the houses. The fellows told Burke that his offence was for having voted for Mr. Moore. They were the only two freeholders in the neighbourhood who voted for Mr. Moore."

[Mr. D BROWNE: What is the name of the noble Lord's correspondent?] The hon. Member must pardon him if he did not answer that question. He would not however, quote from any letter or report which he did not know to be trustworthy. These offences were not of an agrarian character, and the House might ask in what they had originated? He confessed he could not answer that question, but he would read a short extract from the evidence given before Lord Devon's Commission. Mr. Cahill, Crown prosecutor at the quarter sessions for Tipperary, and an extensive land agent, was asked, speaking of persons convicted of offences chiefly connected with the occupation of land, " waylaying offences"—and the answer may probably be taken to apply to other offences—

" Have you had an opportunity of forming a judgment whether the persons so convicted were instigated by others, or were they revenging any supposed wrongs of their own? They have generally committed these offences in consequence of the disputes of other persons, being connexions of their own, either by relationship or being their employers. I have also known instances where violent assaults have been committed by persons who absolutely did not know the persons they were employed to assault, and the person assaulted did not know them. They had never seen each other, but were pointed out by third parties; and some of the most desperate assaults I ever knew were committed in that way.—In those cases do the outrages generally appear to be the result of system, or are they perpetrated at the instigation of an individual? At the instigation of individual malice in all the cases that come within my knowledge; but it is the habit of the country, where malice of that kind arises, to revenge it in a particlar manner."

He now came to another important point. The hon. and learned Member for Cork had remarked to the House the other night that crime had diminished in Ireland since the introduction of the present Bill, and the hon. and learned Gentleman had attributed that fact to the exertions made by the Government to meet the distress in many parts of Ireland. Now, if it were true that crime had indeed greatly diminished during the last three or four months, he did not think that, looking at the circumstances of the case, that would be a ground for resisting the second reading of this Bill. The hon. Baronet had assumed the diminution of crime to be an established fact. He wished it were. There were reasons why crime ought to diminish at this season of the year. During the long days crime did usually for a time diminish. He was so satisfied the hon. Baronet was right in his assumption of the fact, that he was very nearly not investigating the subject at all. The hon. Baronet said, the moral effect produced by the first reading of this Bill had not been great. He was willing to admit that the effects in Ireland of the debates in this House, among the classes principally concerned in crimes of this description, might not be very considerable, yet they ought not to be discarded from consideration, and they might perhaps be regarded as one of the causes of the diminution of crime. The Government had endeavoured to provide employment and food for the destitute poor of Ireland; but, as this was a sudden emergency, and the remedy was a temporary one, if hon. Members assigned that as a reason, they would lay no grounds for the rejection of that Bill. But he was obliged to undeceive the House with respect to this diminution of crime. He had before him a copy of the return of the offences committed during the five months from December 31 to May 31. These returns were made in pursuance of an Order of the House of Commons of the 28th of May last, and were returns of all aggravated assaults, assaults endangering life, incendiary fires, demands or robberies of arms and appearing armed, unlawful administering of oaths, threatening letters or notices, malicious injuries to property, firings into dwellings, arising between the 31st of December last and the 31st of May, specifying the time and place, and the names, condition in life, &c., of the persons injured, and the supposed causes. They did not, however, include the cases furnished in the monthly returns, under the heads, "House Attacks," "Assaults on Police," "Levelling," "Turning up Land," or "Cutting, Maiming, or Killing Cattle," nor cases of murder and homicide, a separate return of these two last classes of offences having been moved for by the right hon. Member for Clonmel (Mr. Pigot), which he had to regret had been so lately received that it had not been possible that they should be printed so as to have been in the hands of Members that morning. He would proceed to compare from the summary of those returns the offences of the last five months with those of the preceding year; and he was quite sure that hon. Gentlemen, when they came to have the Papers in their hands, would agree with him, that not only in the description of crime, but also most certainly in the aggregate of crime, there had been little or no practical diminution of crime in those five counties, with the exception of Leitrim. In Leitrim, he did rejoice to say—and he congratulated the noble Lord the Member for that county (Viscount Clements) on the fact—there had been a considerable diminution of crime. But when the grounds of that diminution of crime came to be investigated, they would be considered, he was convinced, to strengthen rather than diminish the necessity for this measure. As regarded, then, a comparison of these five counties as to crime with the whole of Ireland, there were of the offences to which he referred in the last five months 2,098 committed in the whole of Ireland; in these five counties 1,188, or considerably more than half the crimes committed in the whole of Ireland. He had not had time since the arrival of these Papers yesterday even to work the sum in arithmetic, which would have enabled him to present the exact comparison between the present state of these counties as to crime with their condition in the preceding year; but he could assure the House that there had been no practical diminution. The numbers stood thus:—In Clare there had been 171 offences in the period he had mentioned. In Leitrim, 171—an amount which presented a very considerable diminution; but then it must be remembered that it was a diminunution from an excessive amount. In Limerick, 210; in Roscommon, he was sorry to say, there had been a very considerable increase; the number was 383. In Tipperary, 286; making in all 1,188 offences, compared to 2,098 in the whole of Ireland. Now, these crimes were, as he had already

remarked, not only of a local nature, but it was remarkable that they did not exist in those parts of Ireland which on former occasions had been found to be infected with this disease. It might be desirable to state the amounts of population in some of these counties, and to compare them with the amount of crime and population of other counties. In Roscommon, in these five months, there had been 383 offences, in a population of 253,000. In Kerry, with the much larger population of 293,000, there had occurred during that time only 16 offences. Another comparison might be made with the county of Kerry. The hon. Gentleman opposite had endeavoured to raise a laugh against him, in consequence of his not having been able to read a word in one of the letters he had just quoted, as though he had been ignorant that Castlebar was in Mayo; but he believed, unless he really was ignorant of the geography of Ireland, that the county of Kerry adjoined the county of Limerick. [Mr. D. BROWNE had meant to intimate that if the noble Lord was ignorant that Castlebar was the county town of Mayo, he might be ignorant who was his correspondent.] In the county of Limerick, with a population of 281,000, the number of offences was 210, as compared with sixteen in Kerry. In Leitrim, the offences were 138, the population 155,000; whilst in the adjacent county of Fermanagh, with a population very nearly equal, namely, 156,000, the crimes were only 14. In Antrim, the population was 276,000, the number of offences only 17. In the county of Dublin, exclusive of the city, the population being 140,000, the offences were only four. Now, he thought that these were facts which went far to establish—to his own mind they most clearly proved—how purely local was the character of these offences: and that, he thought, was a fact which strengthened and corroborated the ground which had been laid for the enactment of this measure. As he had said, he quite admitted that which the hon. Baronet who moved the Amendment had laid down as the duty of the Government on proposing a measure of this nature. The hon. Baronet stated there were three things which the Government ought to prove, and the first was the necessity of legislation of some kind. Now, he did think that with the facts before the House, which had been laid before them in the former debate, and with the proofs that he thought he had given that these offences were not only not in the majority of cases, but also not in any large proportion, of an agrarian character, with the proofs that he had given that there had not been a diminution of crime in the last five months, the case of necessity for legislation required by the hon. Baronet had been clearly made ont. The hon. Baronet also stated that it would be the duty of the Government to prove that they had attempted to meet this case by putting in execution the powers of the existing law, and that they had failed in the attempt; and the hon. Baronet had asked why they had not issued special commissions, and given that mode the fair trial they were bound to have given it. The hon. Baronet had further observed that a special commission had been sent down to the county of Westmeath; and, without stating the circumstances under which that special commission had taken place, asked whether there was anything in the condition of these five counties that rendered it impossible to have treated them as we had treated Westmeath. But in Westmeath, it must be remembered, there had happened to have been within the six weeks preceding the issue of the special commission not only a great accumulation of offences, but a great accumulation of prisoners in the gaol committed for trial; and in consequence of that, the Lord Lieutenant of the county, he believed, but certainly the magistrates and gentry, had applied to the Government to issue a special commission. The Government hesitated for some time whether they should do so; and they first sent down a person to investigate as to the evidence that would be produced to substantiate the prosecutions, and whether there was any necessity to issue a special commission. The result was, that the commission was issued; but when the hon. Baronet asked why was not that course taken with respect to those five counties, if it had been thought proper with respect to Westmeath, he answered by replying that although they had to deal, in those counties, with a state of crime so great, and outrages so numerous, yet, that the instances of detection were so few, and the committals so rare, that it was evident there would be no advantage in issuing a special commission, which would end in nothing. When, therefore, the Government was taxed by the hon. Member for Drogheda, and by the hon. and learned Member for Cork, with not issuing special commissions, let him remind the House that this was a new charge, and that these were not the

views that had generally been entertained hitherto by hon. Gentlemen opposite. If he was not much mistaken, Lord Althorp, in bringing forward the measure of 1833, had dwelt on this, that he considered special commissions were totally inadequate in cases of this kind; and that noble Lord stated reasons which he must say were most convincing to his mind to show that to issue special commissions in a state of circumstances like the present, was neither desirable nor wise. The House would remember also that in 1835, in speaking on the Coercion Bill of that year, the hon. and learned Member for Cork, who supported it in all its provisions, stated that he did so on this special ground—that it was necessary for the Government to meet these crimes by some means; and that, deprecating as he did special commissions, he thought the Government had taken the wiser and better course in proposing that measure. The hon. and learned Gentleman had given his support to that measure with expressions which he, unwilling as he always was to quote *Hansard* to the House, would not recall to their recollection; but he would only say they were stronger than he should use, though he certainly thought that to issue special commissions in these cases would neither have been wise nor prudent. Before a special commission could be issued, it must be ascertained that there was evidence forthcoming to maintain the prosecutions. Now, what was the evidence of Mr. Cahill on this point? He was asked whether he had observed that when agrarian outrages had been committed the country people about had been cognizant of the perpetrators; and he answered that he was perfectly convinced that no outrage of the sort occurred but the parties about knew all the circumstances, and also the parties concerned in the outrage. Mr. Cahill also declared, that he was able to state generally that there was an utter indisposition to give any evidence whatever of any offence connected with the occupation of land; and that, though such holding back might be attributable in some degree to terror, there was besides an actual indisposition on the part of the people to give evidence; for that the people thought their own interests were bound up in the cause of the parties committing these murders, and that any party giving evidence against them was looked upon as an enemy of the general class to which he belonged. Mr. Cahill was further asked—

"Do you conceive that undue protection is given to the parties engaged in these outrages?" His answer was, "My impression is, that the occupiers of land, farmers and small tenants, will all receive a man that they know to have been guilty of a crime of that description, and that they will harbour him and protect him, and he is, in point of fact, looked upon as a better man than another, because he has put down what they call a tyrant. He is sure of being received wherever he goes, and has the character of what they call a 'good boy.'"

Now, this was the evidence of Mr. Cahill as to the difficulty of obtaining evidence. But, he thought the hon. Baronet the Member for Drogheda was entitled to require from him a still more distinct proof than those he had yet given, that there were insuperable difficulties in the way of issuing special commissions; and he should give that proof. He assured the House that not only were there difficulties in procuring evidence, but that, numerous as were the outrages, the committals were rare indeed. He had not been able to extract from the reports of the outrages of last year the exact proportion of committals and offences; but he was enabled to give the proportion in each of the five counties for the first five months of the present year, as regarded the offences to which he had before referred. He had already stated that in these five counties for the five months ending the 31st of May there had been 1,088 offences, and out of that number there were only 54 committals. In Tipperary there had been 286 offences and 19 committals; in Limerick, 210 offences and 12 committals; in Leitrim, 138 offences and 8 committals; in Clare, 171 offences and 7 committals; and in Roscommon the disproportion was greater than in all the other counties; for while, as he had already intimated, crime was greatly on the increase, the offences for the period referred to being 383, there had been only eight persons committed. Now he said, that if there were no other objection than this, it sufficiently proved to the hon. Member for Drogheda that the issuing of a special commission was a practical impossibility and a nullity. The Government, he maintained, had tried such means as the law authorized to meet the circumstances of the country. His right hon. Friend at the head of the Government had gone at such length into this subject on a former occasion, that he should not dwell on it now. But he would repeat, that they had fulfilled the demand made upon them by the hon. Member for Drogheda. It remained only to deal with the

hon. Member's last question, which he had a right to have answered, namely, would this Bill be efficacious if passed? Now, he knew that it was always difficult to speak of the future. Other things might admit of proof, but that which belonged to futurity could not be proved. It was only by reference to past experience, as to what had already taken place, that one could even argue as to what might be expected hereafter. In the first place, as regarded the efficacy of the measure, an objection had been raised on a previous occasion, and repeated by the hon. Gentleman the seconder of the Amendment, namely, that the majority of the outrages took place by day. [Mr. BERNAL: I said attempts at assassination.] He thought the hon. Member had referred to outrages generally, and had argued that, as the provisions of the Bill referred to outrages by night, the measure would have no effect. But if the hon. Member had not made the statement that the greater number of outrages took place during the day, others had; and he assured them they were greatly mistaken, for, on the contrary, the great majority took place during the night. He assured the hon. Member that even he would find himself mistaken; and that when he came to investigate the case more closely, he would find that even attempts at murder most frequently occurred at night. But, even if it were the fact that the greater number of attempts at murder took place during the day, it would not be denied that they were usually plotted at night. But even if the hon. Gentleman and others were quite correct as respected the comparison they had stated, that had reference to only one clause of the Bill, and there were other provisions to meet the day assailant as well as the night assailant. He was not, he was sorry to say, so well prepared to prove this part of the case by calculations framed from the returns on the Table as he had been some other parts; but nevertheless he would mention the proportions in two counties, which he believed were a fair sample of the other counties. As he had stated in answer to the right hon. Gentleman who put the question in the course of his speech, there were some cases in which the hour of the day or night was not mentioned; but it appeared that in Tipperary out of 260 offences contained in the list which he had presented to the House that day, between 130 and 140 were committed at night. [Mr. BERNAL: Not against life?] No; he did not mean that; but he assured the hon. Gentleman that it would be found that the offences against life were in much the same proportions between night and day. He repeated, that in Tipperary, out of 260 offences, between 130 and 140 were committed at night, and only between 50 and 60 by day. In 60 or 70 cases the hour was not specified. In Leitrim, out of 359 cases, between 200 and 210 were committed by night, and between 90 and 100 by day. The number unenumerated was between 50 and 60. The hon. Member for Drogheda alluded in his speech to the case of the murder of Lord Norbury, and remarked that, so far as regarded such a case the provisions of the measure were nugatory. He, for the sake of argument, would admit that to be the case; but it proved nothing. It simply proved that the measure did not meet every case. But he maintained that it provided for a great number of cases—indeed, for the great majority of cases. But when the hon. Member dwelt on the circumstance that attempts at assassination took place generally during the day, and not during the night, he begged to remind him that he was referring to the cases of landlords and persons in the higher stations of life; and undoubtedly in many instances of that kind the attempts had been made during the day more frequently than during the night; but he believed there was no one present who would not agree with him, that however their feelings might be excited by the reports of the murder of men like Lord Norbury and others, who had been made the victims of assassination, Government was as much bound to protect the life of the poor cottager as a person of a higher class. He was sure he should receive a ready assent to that proposition. He would go further and say that they were even more bound to protect the former than the latter, for this reason, that the higher classes had more means to protect themselves than the poor and needy had, who lived by the sweat of their brow. He observed the right hon. Member for Dungarvon opposite, who was well acquainted with the county the right hon. Member once represented—he meant the county of Tipperary; and that right hon. Gentleman would bear him out in the assertion which he, an Englishman but little acquainted with Ireland, ventured to make on the authority of Irishmen—that in that county persons in easy circumstances seldom left their homes at night. [Mr. B. OSBORNE:

Hear.] The hon. Member expressed astonishment at this assertion. He could only say that he had been assured of the fact by persons on whom he believed he could rely; and he had mentioned the fact, knowing that hon. Gentlemen opposite would correct him if he was in error. At any rate, whether this was the case or not, as he had said before, the rich had the means of defence, which the poor had not: they therefore stood in a totally different position. He did think that if this was the system which prevailed in Ireland, hon. Members had but little reason to complain of the enactment of "the curfew clause," as they called it. He was certain of this, that however the hon. Member for Wycombe might deny the assertion he had just made, he would not at any rate deny that, practically, many of these classes avoided leaving their houses at night, when society was in such a state as now existed in the five counties to which he had referred. He repeated that they had difficulty in proving what would be the success of their measure except by reference to experience; but he did think that experience led to the hope that the enactment would produce the results which they had anticipated. For five years preceding the retirement of the Whig Government, a measure similar to the present existed. The hon. Member behind him (Mr. B. Escott) expressed great astonishment at this assertion; he was really at a loss to know why the hon. Member cheered. An Act did exist for five years previous to the retirement of Lord Melbourne from office, the leading provisions of which were similar—he did not say identical—to those of the present measure. He was ready to admit that there was a difference. [Mr. B. Escott: They were but too much alike.] The hon. Member might think that there was but too much similarity; but there were others who endeavoured to prove that there was a dissimilarity, and that although they approved of and justified the one, they repudiated the other. But what was the real difference between the two Bills? The Bill before the House proposed to tax districts for the expenses of the police stationed in them with a view to prevent outrages. This was not in the Bill of 1835; but he conceived there was hardly any gentleman who would say that this provision formed so great a distinction as to render the one a harsh and the other a benignant measure. The taxation of districts was a principle which had been engrafted on our laws from an ancient date, and had been put in operation in England as well as in Ireland. Every one knew that in case of riot, for instance, the district in which it occurred was bound for the damage occasioned by it. There was another provision in the present Bill which was different from that of 1835. In the present Bill it was proposed to give the Lord Lieutenant power to proclaim a district, instead of leaving it to the grand jury and gentlemen of the county; and this had been urged as a strong argument against the Bill. He confessed he had never been so much astonished as when he heard this objection; for he recollected that, during the discussion of the measure of 1833, great stress was laid on the fact that the grand juries would be placed in an invidious and improper position by such a power being placed in their hands; and he believed that a member of the Government of 1833 declared in his place in Parliament, that although he admitted military tribunals to be open to grave objections, yet he considered them preferable to grand juries as then constituted. Recollecting that argument, he confessed he was astonished to hear objections offered to throwing the responsibility of proclaiming districts upon the Lord Lieutenant, upon whom devolved the responsibility of the Irish Government in general. The hon. and learned Member for Cork stated that they had an opportunity of traversing the opinion of a grand jury, but none of traversing the opinion of a Lord Lieutenant. That might be quite true as far as that Bill was concerned; but was there not a mode of traversing, if he might so call it, any arbitrary exercise of power on the part of any Lord Lieutenant? Was not that House a sufficient check upon him? [An hon. Member: It would be too late.] An hon. Member said it would be too late; but would any hon. Member assert that anybody placed in the responsible position of Lord Lieutenant would be guilty of such an arbitrary exercise of power with the future vengeance of the Parliament before his eyes? One hon. Member, indeed, went so far as to say that, for the purpose of extending their patronage, some Lord Lieutenants would be induced to put this Bill into operation. Was it likely, was it probable, was it possible that any Lord Lieutenant, in the exercise of the power committed to him, would, for such a reason, incur the just censure of that House? Another point of

difference was with regard to the penalty attachable to the offences. Now, he did understand from the speech of the noble Lord opposite (Lord J. Russell), when he gave his support to the first reading of the Bill, that it was his intention to move an Amendment in Committee to this part of the measure; and he admitted that such a course would have been consistent with his own precedent of 1835. But he could not see that an objection to this clause, relative to the penal ties attachable, was sufficient ground now for the rejection of the measure altogether. [Lord J. RUSSELL had stated that he would propose the omission of the clause.] Yes; but what he understood the noble Lord to mean was, that he would move the rejection of the clause in Committee, and therefore he had a right to assume that the noble Lord then intended to allow the Bill to pass a second reading and go into Committee. These, then, were the three differences which existed between this Act and that of 1835. But, *per contra*, there was another difference, and one in which the Bill of 1835 was much more harsh and oppressive than that of 1846. In 1835 the power of domiciliary visits was given to the police —a power which those who opposed the Bill characterized as tyrannical in the highest degree. That was omitted in the present Bill, and in this respect, therefore, it was a lenient measure compared with the one of 1835. He could not conceive, therefore, how those who supported the Act of 1835 could be justified in denouncing the Bill before the House, as harsh and oppressive. If the noble Lord opposite objected to the principle of the Bill now, he should like to know what in the course of the debate had changed his views since the first reading of the measure, or upon what ground he decried that measure which he passed in 1835. The hon. Members for Limerick and Rochdale had always opposed this Bill on principle, and therefore he was not surprised at their opposition now. Nor had he any right to advert to anything that had fallen from the hon. Mover and Seconder of the Amendment, as they both dealt most fairly with the Government as regarded the measure, and had all along expressed towards it their decided opposition. But they had been told that they were introducing measures of coercion for Ireland, and neglected measures of another character. Now, he thought they had a right to ask the House whether they had not endeavoured to legislate in the spirit and for the advantage of the majority of the people of Ireland, regardless of what effect that legislation might have on their popularity or continuance in power? He would ask the hon. Member for Drogheda, who had taunted them in this matter, whether the Charitable Bequests Act was not one of those measures? Did they not also, in the course of last year, to the great offence of many of their supporters, introduce the measure for further endowing the College of Maynooth? Did they not introduce another Bill, conceived in the same spirit, and of which the hon. Gentleman, he was sure, approved, viz., the Colleges Bill for Ireland? And did they not give their countenance to a measure, the origin of which lay not with them, but rested with hon. Gentlemen opposite, but which they had not only supported, but extended—the system of national education in Ireland? He might add too, that it was intended still further to amend and extend that system of education this year. In addition to all these, hon. Gentlemen opposite must be aware that it was intended to introduce three Bills on the subject of landlord and tenant. It would be premature to enter upon the discussion of those measures now, but on Thursday he hoped to have an opportunity of laying them fully before the House. It was not right, therefore, to say, that they were looking mainly to measures of coercion for Ireland, and not to measures of conciliation. Then, if this had been the case as regarded legislation, had they neglected the state of the Irish people in the emergency that pressed upon so many of them at present? Even their opponents had not withheld their full meed of approbation for what they had done in this respect. But he would remind the House that they had had to adopt measures which nothing but a great emergency would have justified any Government in having resorted to. They had to do this in the teeth of taunts and opprobrium from many of their former friends. They had received insults and reproaches that out of that House would not have been cast upon them—taunts and reproaches that they had fabricated returns for party purposes, and which, though uttered by hon. Gentlemen sitting there, they would not have dared to pronounce out of the House. The grants which Government had made in aid of the people of Ireland would be productive of the best consequences. He did think that the distribution of Indian meal

to the poor of Ireland would be attended, not only with beneficial effects at the present moment, but would, he hoped, have an important bearing on their social condition in future. At any rate, he hoped they would in future years look back to what had been done now as a proof of the good feeling entertained towards them by a paternal Government. But there had been other measures projected by Government—not measures of legislation, for though these were not to be overlooked, there were other important duties of Government to be attended to—and among them he would mention the encouragement of great public works in Ireland. Sums had been allocated for this purpose to the extent of 120,000*l.*, which would produce at the hands of individuals a total outlay of nearly 500,000*l.* And this was not merely producing employment to the people of Ireland now, but, what was of equal importance, providing a valuable return for those who engaged in these concerns, and embarked in them their capital, for the purpose of employing the population who lived near them. There were also schemes of navigation and drainage, for which it would be the duty of the Chancellor of the Exchequer to call for a vote of the House during the present Session. The hon. Member for Cork had in the previous debate quoted the words of Chief Justice Blackburn, that there were two great objects which ought to be carried out in order to obtain the good aimed at—employment and education. But, when the hon. and learned Gentleman quoted these words, he should have recollected that the Government had adopted both these recommendations — that they had encouraged the education, and then, as far as the liberality of Parliament enabled them, they had promoted the employment of the people. He would remind the House, however, that more could be done towards giving employment by private exertions than by public means. Was it to be expected, however, that capital, which was the only means of producing employment, would flow into Roscommon and Clare in their present state? Was it likely that men who were liable to have their servants or stewards assassinated while employed in their service, would send their capital to improve those districts? No; they must by some means produce peace and tranquillity before those ends could be carried. He regretted absenteeism; but was it to be wondered at, in such a state of society as these counties presented, that landlords would not willingly be resident on their estates? He had within these last few days received applications for protection from two gentlemen living within the precincts of one of these five counties, and he had been assured by them that, unless protected, they should be obliged to abandon the district, as their lives were in daily and hourly jeopardy. If they wished to leave the landlords with no excuse for abandoning their estates, then ought they to pass the present Bill. He would say, in conclusion, that he hoped the House would pause before it consented to adopt the Motion of the hon. Member for Drogheda. He might be wrong in the view he took of the Bill, and in the opinions he entertained with reference to its future usefulness; but he did solemnly assure them that he did not speak in the spirit of party, but, as far as his humble judgment enabled him to form an opinion, in the spirit of a true and firm friend to the best interests of Ireland, when he asked hon. Members not to defeat a measure which he really believed was essential to the tranquillity of those parts of the country to which it was intended to apply. It was easy to misrepresent the motives of a Government in introducing such a measure; it was easy to taunt them with tyranny and oppression; it was easy to make eloquent speeches in denunciation of such measures, or of those who introduced them: it was easy, and at the same time too often in accordance with self-interest, to thwart Bills of this kind, brought in by a Government, as this had been (and it had been repeatedly declared to have been so) with pain and sorrow; but under the influence of a paramount sense of public duty to the country and to the Sovereign. It was easy thus to offer opposition to a measure of this nature; but he entreated the House to consider the circumstances under which it had been introduced. If the Government had proposed it as a panacea for the evils of Ireland, then hon. Gentlemen who were now prepared to oppose it, would be justified in adopting the course recommended by the hon. Baronet opposite; but when the Bill was brought in avowedly as a corrective, and only as a corrective, of the disorganized state of Ireland, as a corrective without which no measures however good, no schemes of policy however enlarged, but must inevitably fail; when they did not say that the measure was one which would change permanently the social state

of Ireland, but only that it was a preparatory measure—he thought when grounds such as these were stated for its introduction, he might be prepared to admit that the course of those who offered the Bill a decided opposition was patriotic and conscientious as to their motives; but he was entitled to say, that in the results of such proceedings, they were neither wise nor prudent. He, for one, was quite ready to avow his opinion, that it was impossible Ireland could be allowed to continue to alternate between this lawless despotism and these ultra-constitutional enactments. But when he made that admission he must accompany it with a declaration (which, he was sure, would not have been contravened by any speech made by a Member of the Government on the question), that the measure was one of prevention and correction; and, believing it was a Bill with those objects, he was prepared to give it his support. In this spirit, and looking on the measure as having these objects, he did venture to call on the House to prove, by its vote on this question, that they would consent, however reluctantly, to suspend the law within the districts where these crimes prevailed, in order that all law and order should be no longer set at defiance, the lives and properties of the subjects of these realms exposed to hourly danger, and the peace and happiness of the districts utterly set at nought and destroyed.

Mr. MORGAN J. O'CONNELL said, that however he might differ from the conclusions and opinions of the noble Lord the Secretary for Ireland, his tone and temper were such that no one could find fault with; and the best proof which he (Mr. O'Connell) could give of the respect which he entertained for this tone and temper was to treat the question as nearly as possible in a similar manner. If he believed the Bill to be what it purported to be—a Bill for affording greater security to life and property in Ireland—that it was called for, and that it was better calculated to effect that purpose than the existing law, no party considerations should induce him to oppose it; but the noble Lord had altogether failed to convince him that such was the case. The statement of the noble Lord that there had been rather an increase than a diminution of crime astonished him (Mr. O'Connell), and he heard that statement with a constitutional distrust, taken, as it was, from the officials in Ireland. He would advise the noble Lord, as Secretary for Ireland, or whoever might be Secretary hereafter—and there was no knowing who might be Secretary next year—in matters of legislation above all things to distrust the constabulary returns, and, in the next place, to distrust the law advisers of the Crown in Ireland, who made up their reports from the constabulary returns. The noble Lord had spoken of the measure as a temporary measure; but when it first came from the forge of those legal cyclopeans, it was introduced to the House of Lords as a permanent measure. The noble Lord had said that it was a preparative measure. What was it preparative to? If it was to be also permanent, he must say that a permanent preparative was one of the most extraordinary things he had ever heard of. The first thing which struck him in the return was this strange classification which seemed evidently prepared in order to prove that the assertion of the hon. Member for Cork respecting the return of those outrages were incorrect. It was attempted to show that a great proportion of those crimes were not agrarian. But what was the very first which had been relied upon? A man and his sons were brutally beaten—and then were warned not to turn out any of their tenants. Why, surely that was as clearly agrarian in its character as anything well could be; as much so as the case of the dairymaid who sold her milk at too high a price, as had been stated by the noble Lord. It was now three years since a Bill had been brought in by Her Majesty's Government, of which he had for the first time that night heard one word of commendation. The noble Lord the Secretary for Ireland spoke in terms of praise of the Bill. [The Earl of LINCOLN had asserted the Bill to have been a failure.] It was admitted then that the Bill had failed; but it should not be forgotten that had it not been for the efforts of a few hon. Members, by which the harsher provisions of the Bill had been mitigated in Committee, it would have been still more ridiculous than it was at present. But how had he (Mr. O'Connell) and his friends been met at that time? Why, by long statements of outrages, by dissertations on the proneness of the Irish peasant to use fire-arms, and by the authority of Colonel Miller and Colonel M'Gregor; in fact by the whole of the old argument resting on its old foundation. He and his friends resisted that Bill: their predictions had been verified by the result; and he was justified by that result in telling the House and Her Majesty's Government that they were now pursuing a course

of policy which was equally baseless and unfounded. If the Arms Bill had proved useless for the prevention of crime; if it had failed to defeat the improper use of arms; and if all its cumbrous and expensive machinery had been framed to no purpose—it had nearly proved an engine of a very different character. The very first use which had been made of it was exhibited in an attempt on the part of certain magistrates of a county in the south of Ireland, which was not at all disturbed—to deprive of their arms all those who were Repealers. They were not successful in that attempt; but he warned the present and every future Government against putting such power into the hands of the Irish magistracy, particularly when it had acquired a decidedly partisan character by the unjustifiable and indefensible exclusion from its ranks of those who had committed no crime known to the law, and whose sole offence was differing in opinion on a political question from the Members of Her Majesty's Government. He warned them to beware how they entrusted strong powers to such a body as that, lest the result should be that this power would be used, not for the protection, but for the suppression of liberty and freedom of discussion. The main clause of the Bill embodies the absurdity of punishing those outrages by making a new crime. It was no untried measure; the principle had been often tested before. But in the present circumstances of Ireland its application was likely to prove more annoying than in former years. They were about to shut up the people of Ireland at night, when it was more necessary than ever that the farmer and small agriculturist should resort to fairs and markets—going early and returning late—in consequence of the increased facilities of intercourse. The effect of their curfew clause, as it was called, though it deserved some harsher name, if enforced even in Tipperary, would be to bring agriculture at once to a standstill. It was very hard, to be sure, that carriers should be assaulted at night; but it would be worse if they were to be taken up because they were out after dark, and rendered liable to transportation for seven years. The onus would rest on them of proving that they were innocent; at all events, they were subject to detention. And how did they expect the public works to be carried on—their railways, their bridges, their canals, if the workmen who lived at a distance were liable to arrest going to or returning from their labour? Did they mean to pass a short-time Bill for Irish workmen too? The noble Lord mistook his cheer respecting the Bequests Act. He cheered the mention of that Act—not as one who had opposed it, but as one who had supported it, for he had not voted against the third reading of the Bill; but he could tell the noble Lord that he never witnessed anything more absurd than the conduct of Government in having allowed themselves, on some foolish point of honour, to refuse the proposition of the hon. Member for Armagh to give to the Roman Catholic bishops their proper position, and thereby marring the whole of their Bill. There seemed to be some strange fatality about the measures of Government. They had first of all introduced the Maynooth Bill, which was certainly the best act of Government; but could they forget the speeches by which that Act was introduced and recommended? Could they forget the remarks about "messages of peace," and "the little black cloud in the West?" Why, if those measures were right, they should have been granted without such little graces of oration. The character of Government could not be judged of by its measures—there seemed such a singular want of unity of purpose in all they did. One day they appointed some quiet Catholic gentleman to office, and the next they give promotion to some two or three Orangemen. Now came the State prosecutions—the Maynooth grant succeeded them; and it would seem that the Colleges Bill was to be followed by this Protection of Life Bill, as it was termed. Instead of seeing such measures as this, he hoped before the Session closed to behold a comprehensive Act brought in for the regulation of the state of landlord and tenant in Ireland—he hoped to see Her Majesty's Government introduce some measure calculated to meet the importance of the subject; and he believed that a law well framed and judiciously supported in reference to the landlord and tenant question would do more for the establishment of peace and order than all the Protection and Coercion Bills they could pass for the next century. The measure should not only secure the tenant compensation, but enable him to estimate the amount he was entitled to; and such a measure would prove beneficial not alone to the tenant, but also to the landlord. The strange state in which parties were in that House would have the effect of giving an extended ground for action to the Irish Member;

and he trusted that the spirit of sympathy for Ireland which had been so gratifyingly exhibited throughout the whole of that Session would not be barren in its results, but would produce lasting and glorious effects. The present period seemed favourable for the settlement of the Church question. There was no animosity against the Established Church; and it might be regretted that so favourable a period for the settlement of that question had not been laid hold of—when a time less suited for an equitable compromise had arrived. There was now an opportunity of settling that question on grounds satisfactory to England, and without insult or injury to Ireland. One thing was certain—the spirit of the age was not in favour of restrictive measures for Ireland—that spirit had already spoken by the lips of Her Majesty's Ministers—not, perhaps, in self-condemnation—but, certainly, in self-humiliation; and had obliged them to confess that the policy they had heretofore pursued in and out of office was not just or proper. The claim of Ireland to equality with England had been acknowledged. He called on the House and the Government, not to make Ireland, in matters affecting civil liberty and the details of private life, an exception from the principle, that in everything was she entitled to equality with Great Britain.

LORD G. BENTINCK: Mr. Speaker, it will be in the recollection of the House, that at a period previous to the Easter holidays, I gave notice to Her Majesty's Ministers that myself and my friends around me would be prepared to support the measure now before the House, provided the Government evinced by their conduct an earnestness to press it forward—provided they showed a real eagerness to carry it out—provided they proved the sincerity of their intentions by suffering no unnecessary delay or obstruction to interpose, which they could reasonably avoid. It will be also in the remembrance of the House that on that occasion I informed Her Majesty's Ministers that if, on the contrary, it should appear from the conduct of the Government that they were lukewarm or indifferent—that, permitting all other measures of less immediate necessity to be carried through the House in preference to this, they gave us cause to believe that in their minds no necessity existed for the Bill—no such "emergency" as they spoke of, to justify any party in this House in furnishing Government with such unconstitutional powers, I informed Her Majesty's Ministers that under those circumstances we should not feel ourselves bound to continue our support. Now, Sir, when I call to mind that this Bill came down to this House on the 13th of March—that it was not read a first time until the 1st of May, and that since then nearly six weeks have elapsed before Her Majesty's Ministers attempted to take any steps to forward this measure—when I recollect that since the Easter holidays the Government has allotted no Government night for resuming the adjourned debate upon the first reading of the Bill, which stood upon the Order Book of the House, and that on one occasion they permitted no House to be made—when I recollect that since the Bill was read a first time, they have permitted four other Government nights to be occupied with different business, other than the Corn and Tariff Bills; that they suffered four nights which were not Government nights to be wasted—the House in three of those nights having risen before eight o'clock, and on the fourth before nine o'clock—I think, Sir, after these things, it must be admitted on all hands, that no great desire, no great earnestness, no great sincerity, has been shown by Her Majesty's Ministers to carry this measure into a law. On these grounds, then, I think, it is perfectly consistent with the course which previously to Easter I announced I would take—I think I am fully justified in saying, that the *casus fœderis* has come, when we will no longer support them. Sir, I shall not enter into the merits of the measure upon this occasion; but when the noble Lord the Chief Secretary for Ireland—who announced on the hustings of Falkirk that he was to be returned to this House in order to rescue Ministers from that defeat which he said was hanging over them should he not be returned—makes a statement such as this I am about to quote, I cannot help observing upon it. The noble Lord tells us that it is a notorious fact—in short, that it is known to every one—that crime in Ireland invariably diminishes in proportion as the days grow long. Well, Sir, if that be the case, I think it is reason enough for passing this measure, whilst the days were short, and nights long. This statement surely furnishes no grounds for postponing the second reading until the middle of the month of June. But, Sir, the very reverse of what the noble Lord tells us is the fact. So far from this being the case, I find, that looking at the returns of crime committed.

last year, that the month of June, which it is perhaps known to the noble Lord has the longest day, is precisely the very month when the greatest number of offences of this kind occurred. I find upon looking at the constabulary returns of last year, 896 crimes of this kind occurred; 823 offences of the same description occurred in the May of the same year; and 708 in the month of July following the month which has the longest day in the year. Now, mark, in November and December of 1845, the number of offences was not 896 or 823, but 667 in the one, and 603 in the other. I find that the noble Lord is not very well informed regarding the state of crime in Ireland. When he came here to rescue the Government from defeat, he ought to have contrived to be a little more accurate and successful in providing information for the House. Indeed, the noble Lord does not appear to have given much of his attention to Ireland when he appears totally unconscious of the existence of such a town as Castlebar. But, Sir, if we look attentively to the information respecting crime in Ireland—not that which we have received to-night, but previously—if we look to that which was laid upon the Table of this House on Friday last, I must say there does not appear to be any new grounds for passing this measure which did not exist in the month of February. I find, by comparing the last five months of the present year, with the first five months of 1845, that the increase upon all kinds of crime is not more than five and a half per cent. I do not think that is so very formidable an increase as to justify the Government in pressing forward a measure of this kind, after brandishing it before the eyes of the Irish people for five months together, and that too, without any earnest intention of carrying it through Parliament. But if we look to the character of these offences, we will find, that respecting those to which the Bill is meant to apply, there has not been an increase; but, on the contrary, a positive diminution. I find that the crimes of homicide—firing at the person—conspiracy to murder — forcibly entering dwelling-houses—incendiarism—burglary — housebreaking—robbery of arms, in the first five months of 1845, amounted to 786; whilst in the five months of the present year last passed, the same crimes amount to only 554. In the crime of serving threatening notices, I find there has been a corresponding diminution. In the first five months of 1845, the number of these crimes amounted to 915; in the first five months of the present year to 802. So that the very crimes which this measure is designed to put down, have fallen off 25 per cent, being 1,701 in 1845, and 1,356 in 1846. In crimes of an inferior kind something of the same sort has taken place; such as injuring property by turning up land, stealing cattle, maiming cattle, shearing sheep. I find, Sir, that whereas offences of this kind amounted, in 1845 (I mean in the five months alluded to), to 705, in 1846 they fell off to 600 in the same period of time. When the Ministers introduced this measure, the noble Lord told you it was brought forward as a temporary measure, for a temporary emergency; but, notwithstanding the emergency, the measure has been postponed from January to the middle of the month of June. Yes, Sir, at the expiration of five months, the Government call upon the House to proceed with a measure to meet an emergency which occurred five months ago. This would of itself form a good reason for my opposing the Government on the present occasion; but, Sir, there are much stronger and heavier reasons. I and the Gentlemen around me refuse to trust Her Majesty's Ministers. Yes, Sir, we will no longer trust Her Majesty's Government. We have for good reasons ceased to place any confidence in them. We are of opinion that we cannot with safety intrust them with the charge of so unconstitutional a power as the Bill contains. There would be reason enough to refuse trusting them if there were no other than the ignorance or the double dealing which they displayed as regards other measures connected with Ireland, for we have been deceived. The Minister deceived us, for he told us five months ago, that before this time there would be 4,000,000 of starving men in Ireland. Are we who have been falsely assured that there would be famine in Ireland—are we again to receive statements such as have been scouted by every man of common sense in both countries—are we again to trust in the statements of that Minister? Are we to trust the man who dared to come down to this House, and utter with confidence statements such as these? Are we to countenance such a Ministry as fit governors for this country? I will not stay to discuss this measure? Were it even necessary for the peace of Ireland, I ask whether there is any Member of this House who thinks the Government mean to carry

it through? When there have been such postponements, such obstructions, such delays—when five months have been suffered to elapse between the first and second reading—can any one believe for a moment that the Ministry are in earnest—that those on the Treasury bench do not know in their hearts that the Session will be over before they can drag this Bill through the House of Commons? There may be some of my Irish friends in this House who may be disposed to support this measure, because they honestly think that some measure of coercion is required, that something stronger than the ordinary law is required for certain districts. Don't let them "lay the flattering unction to their souls," that if we permit the Bill to pass the second reading, Her Majesty's Ministers will trouble themselves to carry it out into a law. Well, then, Sir, I say it is a mere waste of the time of the House—I say it is a mockery and an insult to Ireland—a mockery and insult to them to brandish measures before their eyes which Ministers never intend to carry into law. For these reasons I, for one, shall do my best to prevent this mockery being committed. We have been told that the Government were as much in earnest about carrying this measure as in carrying the Corn Law. But how different has been their conduct upon the one measure and upon the other! They devoted every day, Government and Motion days, to the discussion of the Corn Bill—to repeal that law which they had so often pledged themselves to support. They acted with the zeal of new converts—they forced on the measure—they were willing to sacrifice the holidays—they were to be worked up to Good Friday eve—in short, no toil was too great—no question so important—no delay so fatal as those which occurred on the Corn Importation Bill. But how different the case with the Coercion Bill—delay, obstruction, six months' intermission, short sittings—why, bad and unkind as the Government was, I cannot believe they are yet so far lost to a sense of propriety as to consent to a waste of so much valuable time if they really considered that the Bill was necessary. No sooner does it become a question of the Coercion Bill instead of the Corn Law, than the House is indulged with long holidays; and on Monday night, Tuesday and Thursday nights, permitted to adjourn at half-past seven. Does this look like earnestness and sincerity? Is there any man in this House, is there any man in the country, who is fool enough to believe that Her Majesty's Government are in earnest with their Life and Property Protection Bill? Believing, therefore, that to be the case, I say that the sooner we kick out the Bill and Her Majesty's Ministers together the better. With these views I could delay no longer rising in my place and stating the part which I and my friends around me are prepared to take. I should certainly have preferred an Amendment which took the shape of a direct vote of want of confidence in Her Majesty's Ministers; but, if we can believe any pledges which are given by hon. Gentlemen on the Treasury bench, we may I suppose conclude, that when they find that they are no longer able to carry the Government measures, they will think it time to retire. We used, Sir, I recollect, to be told by the right hon. Baronet, that he would not consent to be a Minister on sufferance; but I think he must be blinded indeed by the flattery of those around him, if he has not learnt that he is now a Minister on sufferance, tossed from one side to the other, sometimes depending on hon. Gentlemen opposite, sometimes depending on my friends around me, supported by none but his forty paid janisaries and some seventy other renegades, one-half of whom, whilst they support him, express their shame at doing so. When, I say, this is the state of the Government, it is high time for us to speak out on this measure, and in this debate to mark our sense of their conduct by voting against them. Therefore, though the right hon. Baronet may be sustained by his forty paid janisaries, and his seventy renegades, I ask him if he has not lost the confidence of every honest man in this House, and of every honest and honourable-minded man out of this House? We are told now—we hear from the right hon. Baronet himself—that he thinks there is nothing humiliating in the course which he has pursued—that it would have been base and dishonest in him, and inconsistent with his duty to his Sovereign, if he had concealed his opinions after he had changed them; but I have lived long enough, I am sorry to say, to remember, and to remember with sorrow—with deep and heartfelt sorrow—the time when the right hon. Baronet chased and hunted an illustrious relative of mine to death; and when he stated that he could not support his Ministry, because a leading Member of it, though he had changed no opinion—yet, from his position was likely to forward the question of Catholic Eman-

cipation ; that was the conduct of the right hon. Baronet in 1827 ; but in 1829 the right hon. Baronet told the House that he had changed his opinions on that subject in 1825, and had communicated that change of opinion to the Earl of Liverpool. That, however, did not prevent the right hon. Baronet in 1827 from getting up in his place and stating that he had severed himself from Mr. Canning's Government because he could not support a Government of which the chief Minister was then favourable to the measure, which it appeared afterwards the right hon. Baronet had approved of two years before. If, therefore, the right hon, Baronet says, it is base and dishonest and inconsistent with the duty of a Minister to his Sovereign to continue to maintain opinions after he has changed them, does not the right hon. Baronet, I ask, stand convicted, on his own verdict, of base and dishonest conduct, and conduct inconsistent with the duty of a Minister to his Sovereign ? When I recollect the conduct of the right hon. Baronet in 1827, and in 1829, after his change of opinion in 1825, though he has been sitting long on the stool of repentance, I am satisfied that the country will not forgive the same crime twice in the same man. A second time has the right hon. Baronet insulted the honour of Parliament and of the country; and it is now time that atonement should be made to the betrayed constituents of the Empire. It is now time that the country should know—no, the country needs not know—but it is time that Europe should know, and that the world should know, the treachery which has been committed by those now in power, and that they do not represent the voice or the feelings of the people of England. Prosperity may be lost to the agricultural interest, our domestic interests may suffer, they may be betrayed; but let not Europe think—let not America—let not the world think—that England is committed, that England is a participator in the guilt of those who sit on the Treasury bench. Then, I say, that now the time has come when those Gentlemen, who have been glad to avail themselves of the treason of the right hon. Baronet—though I believe from all that I hear said amongst them that they abhor the traitor—having secured the success of those measures which they have consistently supported—the time, I say, has now come when they will mark their sense of the course pursued by the Government, and will show that they, no more than we, approve of the conduct of Her Majesty's Ministers; and feeling that Her Majesty's Ministers can no longer presume to insult the country—after they have been put in a minority, as I know they must be, I do think that the time has come when, by putting them in a minority, and by driving them from power, we ought to compel them to make atonement for the political treachery of which they have been guilty—for the dishonour which, by their conduct, they have brought upon Parliament—and for the dishonour which they have brought upon the country, as well as atonement for the treachery which they have shown towards the constituencies of the Empire.

Mr. S. HERBERT: I have lately, on a previous occasion, ventured to trespass on the House at some length on the subject of the Bill which comes now, at length the second time, before us for discussion, and from which has arisen so much of acrimonious debate, so much divergence from the matter in hand, for the purpose of bringing against Her Majesty's Government charges not heard from that quarter for the first time — charges which the noble Lord considers he has a right to make — charges which are couched in language seldom heard in this House —in language which it would be for the character of this House should not be heard — in language which I will not repeat — in terms which I will not retaliate, so long as I have any self-respect or regard for my own character. As long as I have that respect for the character and the reputation of this House which becomes its Members, I will neither impute to others motives by which I scorn to be influenced myself, nor will I consent to import into this House, into the Senate of this country, terms and language and expressions which are better suited to some other arena than to one where Gentlemen are met together gravely, seriously, and deliberately to discuss measures vitally affecting the great interests of the country. The noble Lord says that we cannot be in earnest in pressing this Bill; and he founds that suspicion upon the fact, that now in June, when he has discovered that the days are long, we are only pressing the second reading of the Bill before the House. I should like to know from what quarter, with a face of decency, can be brought the charge of delaying the measure before the House—a charge brought to-night, not for the purpose of argument, but for a purpose very different. Because, night after night,

as sure as an argument had been met, as sure as a fact had been contradicted, the same fact, the same argument was reproduced. [*Interruption.*] It may be to the distaste of the hon. Member that I should speak my mind on that matter; but this I say, that, granting to you for argument, granting to you that never for one moment, in the whole tactics of your resistance to the Corn Bill, you dreamt of delay—granting that it was nothing but the exuberance of eloquence — granting all this, I say the noble Lord may at the same time recollect that, such was the length of the discussion, it was not possible for the Government to bring this Bill earlier under the notice of the House. The noble Lord says, we should have brought this Bill on before the Corn Bill; that may be the opinion of the noble Lord, but it was not the opinion of the country. The noble Lord, whose powers of incredulity are so great that he told us there never was a necessity for any interference whatever in Ireland on the subject of the food of the poor, now tells us—not on three years' experience, but on three weeks' experience—that the course he took a few days back was utterly unsound. Hon. Gentlemen may dislike to hear any defence made by men whom they think they can attack with impunity; but, Sir, I trust that so long as I have a seat in this House, nothing in my previous conduct ever will disentitle me to its attention, however humbly I may offer myself to its notice; and certainly, on an occasion like this, I cannot think the noble Lord himself, or any other Gentleman, can consider me disentitled to address it. Well, I say, the noble Lord, who says there has been no cause whatever for any interference in Ireland as regards the food of the people, has now found out, after three weeks' reflection, that there is no cause for interference to protect life and property in that country. But a short time ago, so keen was he on this head, that he could not even wait for the discussion to begin on the first reading of the Bill, but he anticipated it by producing cases horrible to him, of women attacked, of fire-arms discharged into poor men's cottages, of old ladies attacked as they came home from church in broad day. There was no stint to the noble Lord's indignation against the perpetrators of these attacks on women and defenceless persons. Where has all his indignation gone now? The noble Lord said, that the blood of murdered men must rest upon the head of any man who delayed the passing of this Bill but one day; that the blood of the man who was murdered was upon the head of Her Majesty's Government, ay, and upon the head of every man who supported them, if they delayed for a single day. Upon whose head is the blood of murdered men to be now? Suddenly, upon no fresh information, upon no change of circumstances—at three weeks' notice—to turn round and say, that what we told you was a crime before God and man; that course we can now adopt, that it is for the benefit of the country! Now, because there are other reasons; not that we love Ireland less, but that we hate more the men who at present hold the reins of Government. I heard the noble Lord, with that singular logic which seems to pervade his mind, and with his tendency to make compacts which I think he calls *casus fœderis*, disclaim his former connexions, to enclose in his political embraces certainly not that portion of the political parties in this House which has the closest affinity with the opinions he professed to hold. [Lord G. BENTINCK: I hold them still.] I cannot pretend to have any affinity, certainly, with the present political opinions of the noble Lord. The noble Lord said the other night, that because a Gentleman (Mr. S. O'Brien), in his opinion, had qualities which entitled him to reign in the hearts of the people of Ireland, so great was his respect for those qualities which could so attach to the hon. Gentleman the mind and love of a whole people, that he was ready to sacrifice his opinions, whatever they may be now, in order to carry out this new alliance. The noble Lord will pardon me, but I am quoting his words accurately. He said that this hon. Gentleman reigned in the hearts of the people of that portion of the Empire; and what did he propose to the hon. Member for Limerick? He said, if you will propose in this House that the Corn Law shall be suspended, though I do not believe there is any necessity for it; though if there were a necessity for it I believe it would do harm, yet—such was the logical inference which the noble Lord's mind drew from it—although the measure is wrong, I will vote for it because you are a man who reign in the hearts of the people of Ireland. Well, we have the same sort of consistency in the course the noble Lord is now taking. The noble Lord was ready to vote for a measure, although he believed it wrong, because it was supported by the hon. Gentleman;

he is now ready to oppose a measure, although he thinks it right, because it is opposed by the hon. Gentleman whose claims on the affections of the people of Ireland had such charms for the political predilections of the noble Lord. I will not go back to other matters to which the noble Lord has alluded. We have had sufficient discussion already on the subject of the Corn Bill. I do not think the House has much disposition to go again over that ground. The noble Lord may make his accusations of treachery; he may charge us, in consequence of our conduct, with having forfeited his confidence. I must say, if this Government is to cease to rule in this country — after the exhibitions I have seen; after the willingness I have seen in the noble Lord to sacrifice his opinions at three weeks' notice, and ally himself with political parties with whom he cannot have any political sympathy—with a party whose proceedings would tend in my belief to a dismemberment of the Empire—I say, that after these things, of all the loss with which we are threatened, the loss which I should care the least for would be that of the confidence of the noble Lord. The noble Lord says we are not in earnest in pressing this Bill. He quotes, with that unfortunate love of arithmetic which leads him to calculations in human blood now, just as it led him to grain, tallow, and timber before—a calculation to show that though three weeks back it might be worth the while of the Government to interfere, it is not worth while to interfere now, because he finds only 552 homicides in the returns. Only 552 homicides! The whole tone of his mind, in fact, is changed in consequence of some prospects he entertains from the combination of parties in this House, but totally irrespective of the opinions he himself advanced. But I answer the noble Lord, that the Government, which is responsible for the peace of Ireland, cannot consider that on account of some combination of parties, human life is not to be regarded there. They do attach some importance to that denouncement of the noble Lords, that if they do not persist with the Bill, they incur a fearful responsibility. The people of this country will judge between them and the noble Lord. They know the professions which the noble Lord and his party had made from this side of the House. They know the opinion which he expressed, and the strong terms in which he hurled defiance at that party with whom he is now leagued in compact. Sir, we have introduced this measure from a paramount sense of its necessity. The noble Lord, who says that he does not see in us a conviction of its necessity, sufficient to enable him to vote for it, will allow me to inquire whether it was through any confidence in the Government that he voted for it a few weeks ago? Was not there evidence as to the necessity of the measure laid before the House? Could not the noble Lord judge of it then by that evidence; and does he not judge of it by the same evidence now? It was from reading the evidence adduced then that the noble Lord voted. Then, Sir, I want to know what has happened in the interval, that the same statements are now to be discredited? How is it that the remedies once so loudly called for, are now no longer, necessary, and the crimes so loudly decried are now no longer reprehensible. Sir, the country will judge of the course which the noble Lord has taken. Sir, I repeat that Government have brought in this Bill under a paramount sense of its necessity, and I tell the noble Lord that the Government will persevere in urging it through Parliament—urging it in spite of all his vituperation—in spite of that factious combination—I make no charge against hon. Gentlemen opposite. Those hon. Gentlemen who have opposed this measure are right, nay, are bound to continue their opposition. It is those who alter their course without any alteration in the circumstances, I denounce. Sir, if I may be allowed to allude to the rumours circulated for the last few days, I may repeat that I have heard it stated that proposals have been made to the noble Lord opposite (Lord J. Russell) to bring to his assistance the services of a number of Gentlemen who are more anxious to divide with him than to consider the merits of the question—a proposal in reference to which the noble Lord had acted as I should have expected him to act—he treated it with that silence which I suppose it is hardly Parliamentary to designate as the silence of contempt. ["Name, name!"] Hon. Gentlemen below the gangway, who are so anxious to know the names of those who have thus preferred to make combination to unseat a Government, rather than to act upon the plan which they had enounced—rather than to continue to give that vote which by every pledge they had bound themselves to give—I can only recommend, after the division shall have taken place, to study the list, where they will find the names they are in search of.

I have made no charge against an individual. I was speaking of a party, and judging them by their acts. I see a party who suddenly, on the same measure, and without any change of circumstances, take a diametrically opposite course; and the noble Lord at once avows that it is done with the intention of displacing the Government. Under these circumstances why should I be called on to name? Well, Sir, to this measure, introduced as it has been with much deliberation—introduced as it has been with the support of the great body of this House—whatever may be the altered circumstances we have now to combat, whatever may be the combinations against us—I repeat, Sir, that to this measure the Government are determined to adhere. I know not what may be its fate, but this I do know, that in the attacks which the noble Lord has made on the sincerity of the Government in bringing forward this Bill, he shows that he has but little knowledge of the motives by which public men are guided; but I trust that this House will never sanction a departure from that honourable spirit in which the affairs of the country should be conducted. I for one, at least, shall deeply regret to see power placed in the hands of those who seem to be incapable of understanding that a public man may have higher than mere party objects, and that he may be ready to sacrifice even party support for the purpose of ensuring the success of measures, necessary, in his opinion, for promoting the happinesss and prosperity of the country.

The MARQUESS of GRANBY: The right hon. Gentleman had said that his noble Friend had used language in that House that was most unusual; he thought that the Government had taken a course that was also most unusual. The conduct of the Government had been such as had not before been witnessed in that House. They were sent by their constituents to deliver their opinions honestly and fairly in this House; and if the conduct of the Government had been so extraordinary, language might naturally have been uttered in respect to it which, on more mature consideration, might not have been uttered. The right hon. Gentleman said, that the noble Lord had remarked that the blood of all those who were murdered in Ireland, would fall upon the heads of the Government if they delayed this measure for a single day; but Her Majesty's Ministers had delayed it for a period of six weeks. They could not suppose that there was the same necessity for it now as when they had voted for it upon the first reading. They were then assured that the Government were in earnest about it; and yet they permitted the Corn Law Bill to pass through this House instead of this more important measure. He could not believe that the same necessity now existed for it. They said that now they would not pass this Bill because they had no longer any confidence in the Government. They had but little confidence when they supported them on the first reading; and he thought that that littleness was now considerably less. That want of confidence was further increased by the conduct of the Government in respect to the Poor Law Settlement Bill. They had been told that they had entered into a compact with Gentlemen on the opposite side of the House. He was not aware that the noble Lord had ever entered into any such compact. He believed that the only agreement and compact that existed between them was this—that they had no confidence whatever in Her Majesty's Government.

MR. ROSS moved the adjournment of the debate.

MR. J. O'CONNELL complained that the Secretary at War should have spoken of the hon. Member for Limerick (Mr. Smith O'Brien) as a person who desired the dismemberment of the Empire. The charge, if at all applicable to that hon. Member, was equally applicable to those who held his opinions as to the legislative union between the two countries; and when made in that House must be met with the shortest and promptest denial.

MR. S. HERBERT said, all he had stated was that the noble Lord was entering upon an alliance with a party which sought objects which, in his opinion, would lead to the dismemberment of the Empire. This, however, was merely a matter of opinion, and on which a difference of opinion undoubtedly prevailed.

MR. STAFFORD O'BRIEN said, he would take advantage of the question of adjournment to ask the right hon. Gentleman (Mr. S. Herbert) for an explanation of a phrase in his speech, which, under the circumstances in which the House was now placed, would, he thought, be deemed but a reasonabie demand on his part. The right hon. Gentleman had made allusion to rumours about town that those who retained the principles which they held this time last year, but who now found themselves at variance with Her Majesty's Govern-

ment, had entered into a compact against the Ministers with the noble Lord who conducted the Opposition. He did not state that such a compact had been entered into; but he said a proposition had been made by the Gentlemen below the gangway, which the noble Lord had treated with something which it would be unparliamentary to term contempt. If the right hon. Secretary at War said this in the heat of debate, he could get up and offer an explanation; but if he said it decidedly, believing it, and intended to adhere to it, he would no doubt be glad, before the debate concluded, to have an opportunity of definitively and decidedly reiterating, not only that statement, but also informing the House who, amongst the party maintaining the principles of protection in that House, was the man to whom he alluded. It was not his wish to add a word of bitterness to the debate; and he trusted that neither his language nor manner proved that he had such a wish; but he felt it incumbent upon him to ask, and he thought the House would sympathize in his wish to know, what ground the right hon. Gentleman had for the charge he had made against them? He said charge, because it was preferred as a charge. He might say, and he would say also, that if they felt themselves obliged to oppose the measure of the Government, they could not hold out to the noble Lord (Lord J. Russell) any reason to believe that they could sympathize with the policy which he had exhibited, or that they could forswear their own principles to follow his; although differing, as they widely did, from the noble Lord, he knew of nothing in his character, public or private, to make them ashamed of having had intercourse with him. But he must remind the House that the original *casus fœderis* was not with the noble Lord, but with Her Majesty's Government. His noble Friend had proposed to read to the House certain correspondence which some time since passed between him and a Member of the Government; but no Member of the Government had responded to that proposition; and the correspondence therefore remained in obscurity. With the permission of the House he would read one extract from that correspondence; and if it were the wish of the Government, or of any Member of the House, his noble Friend would make that correspondence public. If his noble Friend had written in the spirit of prophecy, he could not have rendered his letter more opportune to present circumstances. His noble Friend's letter was dated 21st March, 1846, and was addressed to the hon. Member for Cavan (Mr. Young). His noble Friend, in that letter, said—

"I then frankly told you, with respect to the Anti-Murder Bill, that I believed the whole party with whom I served were but of one opinion, that it was a most unconstitutional measure, and only to be justified by some dire exigency. I believe I termed it another Curfew Act, and said that nothing but the most imminent danger could excuse it; but that if the Government were prepared to state that the emergency did exist, and were ready to have their honesty and sincerity tested by pressing the measure with all possible speed through the House, we should be disposed to give them credit for the existence of so dire an emergency, and, in spite of the statement of Lord Clanricarde in the House of Lords, we would support them. But if, on the contrary, it should appear from their conduct that in their hearts they did not believe such dire necessity did exist—if the danger to life was so little imminent that they could afford to postpone the measure on which the security of life was said to depend—a measure not intended to come into operation for three years—then the complexion of the case would be very much altered, and I conceive we should feel ourselves bound to take a different course, presuming, as we must under such circumstances, that no true or lasting ground did in fact exist for the adoption of so unconstitutional a measure."

Now, the right hon. Gentleman must see from the letter he had received that the *casus fœderis* was not with his noble Friend, and he must also see that situated as that party (the country party) was in that House, it did not become them to let one single night pass away without demanding from the right hon. Gentleman an explanation of the grounds on which he asserted that such rumours were prevalent in town, and whether he had traced them to their source, or could apply them to any hon. Member who had a seat in that House at present?

Mr. S. HERBERT assured the hon. Gentleman that he believed there was no Member of the House against whom any charge of discourtesy could be made with so little justice. With respect to the letter which the hon. Gentleman had read, he did not think he was called upon then to enter upon it. The noble Lord, at the time he wrote, no doubt, took what he thought the best course; but all it amounted to was, that he told the Government, if they went on with the Corn Bill, he would vote against them. So much for that letter. With respect to the observations he made, and of which the hon. Gentleman asked for an explanation, he begged to recall the House to the exact expressions he had used. He had not asserted of his own knowledge any fact whatever, nor had he quoted any authority. He said that ru-

mours had flown about town that the noble Lord (Lord G. Bentinck) and those who acted with him had made an offer to the noble Lord opposite (Lord J. Russell) to support him in opposing the second reading of this Bill. Rumour had no name ; but as the noble Lord appeared to dislike the imputation, he would beg leave to show him how he might easily disprove it. If any blame attached to the noble Lord or his party for taking that course, it was not for proposing to do it, but for actually doing it ; and, therefore, if the division should ultimately show that a large portion of the Gentlemen in that House who voted in favour of the Bill on its first reading should vote on its second reading directly against it, he contended he should be justified in assuming that rumour to be well founded.

MR. E. YORKE observed that it had been most distinctly stated that a negotiation had been declared to have been carried on. He appealed to the House whether any other construction could be put upon the words made use of by the right hon. Gentleman the Secretary at War, that some application had been made to the noble Lord ; and he asked the House to judge impartially, whether, if an application had been made, that application was not made by some one ? If the application had been made to the noble Lord, he trusted the noble Lord would say so, for the sake of the House and the party by whom the application was made. This would give the person an opportunity of stating upon what authority he made it. If they had a denial on the part of the noble Lord that any such statement was made, then it gave good ground for knowing that they could have no possible confidence in a Government which sought to abandon a Bill for the Protection of Life for the purpose of carrying one which abolished the Corn Laws.

LORD J. RUSSELL said, that he would answer the hon. Gentleman who sat on his bench (Mr. Stafford O'Brien), and the hon. Gentleman who had just sat down. No application or proposition had been made to him on the part of the noble Lord, or of any other hon. Member. He might, perhaps, be permitted to state that the noble Lord the Secretary for Ireland seemed not to be aware of the objections which he had stated to the House on the first bringing in of this Bill; that he then stated that he had objections to some of the clauses ; that he particularly wished to omit the clause which obliged persons to remain in their own houses from sunset to sunrise. On further considering this Bill, he thought it would be the fairer and more direct course to oppose the second reading of the Bill, rather than so to mutilate it as to leave none of its important clauses. He stated on the 25th May, the day on which this Bill stood on the Orders of the Day, that he wished the right hon. Gentleman opposite to state whether he meant to bring it forward, or whether it was not to be brought forward in the course of the present Session ; and he stated at the same time, that he thought it fairness to him to state that when he did bring it forward he should think it right to oppose the second reading. It was true that some of his intimate friends had since that time asked him what it was his intention to do with regard to the Bill, and whether they were authorized to state his intentions to any person who might apply to know what his intentions were. He did not use any contemptuous silence ; he said, " I have already declared in the House of Commons my intention to oppose the second reading of the Bill; and you will declare those intentions to whatsoever person or party may ask." With regard to the noble Lord, the Member for Lynn, he had come to his conclusion on grounds which were satisfactory to him ; and he (Lord J. Russell) had come to the same conclusion with regard to this Bill, on grounds which were satisfactory to himself. He trusted he should have an opportunity of stating them in the further course of the debate; but those grounds were entirely public, and they rested on this, that he thought it would be injurious to Ireland and to the protection of life to allow this Bill to pass.

MR. S. HERBERT said, that after what had passed, it was due to the hon. Gentleman who had first put the question to say that the noble Lord's statement was conclusive on the subject: he was misinformed.

Debate adjourned till Friday.

BUSINESS OF THE SESSION.

SIR R. PEEL said, it was his intention to move that from and after Thursday, the 18th June, Orders of the Day should have precedence over Notices. It had been the uniform course to move, at the present period of the Session, that a third day should be devoted to the transaction of the public business which belonged to the Government. He begged leave, therefore, to

move, that on Thursday, the 18th June, Orders of the Day should have precedence over Notices, and the same with regard to all succeeding Thursdays.

Mr. J. O'CONNELL thought that the House ought not to consent to the Motion, so long as the Coercion Bill was before the House. After so many Members had left, it would not be fair to enter at this time into the grounds of his objection; he would therefore move that the debate on this question be adjourned. On a future occasion he should be prepared to state the grounds why the House should not adopt this proposition.

Mr. R. YORKE apprehended that the proposed course had been usually adopted every year, and had been found to work well. If the matter went to a division, he should, therefore, vote with the Government.

Mr. F. MAULE said, that he should also support the proposition of the right hon. Gentleman at the head of the Government. This was a usual Motion at this period of the Session, and if it was necessary during any Session, it was so this Session, when business was in arrear.

Mr. J. O'CONNELL said, that if the right hon. Baronet would give an assurance that he would not use Thursday for the purposes of this Bill, he would withdraw his Motion. All he asked for was, that the question should be entertained at a future time.

Dr. BOWRING also thought the Motion a usual one at this period of the Session.

Sir R. PEEL said, he had made the Motion from a sense of public duty, and not for the purpose of promoting the convenience of the Government, his sole object being to advance the public business, as was customary at this period of the Session. With respect to any stipulation, such as had been suggested by the hon. Gentleman, he could not consent to it. He had brought forward the Motion without the slightest reference to the Irish Life Protection Bill; and if that measure had not been in existence, he would have made it as a matter of course. He should, therefore, consider it inconsistent with his duty to make the Motion, and at the same time to enter into a stipulation of the kind alluded to. Nor could he see that it could prevent discussion on the Irish Life Protection Bill. He might observe that, in declining to enter into any stipulation, he did not wish to take any unfair advantage with reference to the discussion on that measure.

Mr. J. O'CONNELL, finding the opinion of the House was generally against him, would then withdraw his Amendment.

Amendment withdrawn. Motion agreed to.

House adjourned at half-past One o'clock.

HOUSE OF COMMONS,

Wednesday, June 10, 1846.

Minutes.] Public Bills.—1°. Erection and Repair of Churches in Consolidated Ecclesiastical Districts.

Reported. Railway Companies Dissolution; Administration of Criminal Justice; Poor Removal.

Petitions Presented. By several hon. Members, from an immense number of places, complaining of Refusal to grant Sites for the Erection of Churches for the Free Church of Scotland.—By Mr. Duncan, from Inhabitants of the Town of Dundee, for the Adoption of Measures for promoting the Due Observance of the Lord's Day.—By Mr. James Kelly, from Secular Clergymen and Laymen of the City of Limerick and its Vicinity, professing the Roman Catholic Religion, and by Mr. Ricardo, from Roman Catholic Inhabitants of the Village of Cowbridge, in favour of the Roman Catholic Relief Bill.—By Mr. Blakemore, from Dean and Chapter of the Cathedral Church of Wells, against the Union of the Sees of St. Asaph and Bangor, but in favour of the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. P. Stewart, from Merchants, Shipowners, Manufacturers, and other Inhabitants of the Port of Lerwick, and from Members of the Norfolk Steam Navigation Company, praying that all Expenses for the Erection and Maintenance of Lighthouses, Floating Buoys, and Beacons on the Coasts of the United Kingdom, should be henceforth defrayed out of the Public Revenue.—By Mr. Bramston, from Ratepayers of Navestock and Little Warley, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Sir James Graham, from Officers of the Longtown Union, for a Superannuation Fund for Poor Law Officers. By Mr. Muntz and Mr. Ord, from Members of several Religious Societies, and others, for the Abolition of Capital Punishments.

THE DANISH CLAIMS.

Order of the Day for the House to resolve itself into Committee for the purpose of taking into consideration the Danish claims, was read. On the Motion that the Speaker do now leave the Chair,

The CHANCELLOR of the EXCHEQUER said: Sir, although the House on a former occasion consented to the Motion of my hon. Friend (Mr. Hawes), that on the present day we should go into Committee on this subject, I think there are strong reasons why the House should not fulfil the object of the vote which they came to on that day; and I therefore rise at this early stage of the discussion for the purpose of moving an Amendment to the Motion of my hon. Friend. I am sensible, Sir, that in doing so I labour under very considerable difficulties, because I have always found, upon every successive occasion

when these claims have been brought before the House, there has been stated, in the course of the debate, some new circumstance apparently calculated to influence the decision of the House, adduced at a period when it is difficult to afford a reply to them—statements are made for the purpose of inducing the House to support the propositions which are made to them with respect to these claims, yet on another day those very statements turn out to be altogether void of a just foundation, and to be such as should not influence the decision of the House. Now, for instance, on the former occasion the hon. Gentleman opposite, in the course of his reply, adduced an additional argument which we had not heard of before the support of these claims. He did not for a moment dispute that there had been a war between Great Britain and Denmark; but he stated that a declaration was made in the same year which cured the previous declaration of war, and restored peace to Denmark; and that, therefore, Great Britain made no attempt to declare the illegality of the capture, because the declaration of war was not issued until November. He impressed, therefore, upon the House that it was just and proper that the House should restore to their former position those persons that had suffered in consequence of the war. But, Sir, was there no foundation for that judgment? Of course, when Copenhagen was surrendered, there was a capitulation which provided for the restoration of such goods as had been taken during the war. The Danish Government itself issued an order in which it was stated that during the war certain regulations were to be observed as to English subjects, expressly nullifying the assertion of the hon. Gentleman, when he wished the House to believe that these capitulations were not made during the war; expressly nullifying the declaration of the Government in seven days afterwards, that the war was then in force, and that certain hostile measures with respect to British subjects were to be taken in consequence of the war. A new case was adduced by the hon. Gentleman on the former occasion, for the purpose of inducing the House to agree to his propositions. Sir, I have thought it my duty on various occasions to oppose an Address to the Crown for the purpose of remunerating the claimants on account of the Danish losses; and I have done so, Sir, first, upon what I consider to be a most important constitutional principle; and next, because I do not admit that there is any justice whatever in the claims which are submitted to the House. Sir, this House has very wisely determined that they will not admit any grant of money, or any remission of duties due to the Crown, unless it come down to the House recommended by the respectful suggestion of the Crown; and they have done it for the best of all reasons, in order that the House may not be imposed upon by specious or plausible statements made in the course of a debate on an uninvestigated claim. The object of that determination has been, that individual Members may not be influenced—that they may not rashly vote away the money of the people to parties who, by means of great exertion, active canvassing, and constant representation of facts more or less accurate, have acquired an influence over the minds of Members, and who persuade them to vote away the public money. And, Sir, this House has laid down a wise rule, and I am not quite prepared to get rid of it by a side-wind proceeding. When the case was submitted to the predecessors in the office that I hold, and when it had been submitted to me also, we each of us, acting under a sense of our public duty—which is not to recommend to Parliament to make a grant of money unless we are satisfied that the grounds on which the claim is made are just—have refused to assent to the petition to this House praying for the granting of these claims. And upon the same principle, I will not willingly consent that the Crown should be placed in the situation of having an address presented to it, when the Crown has not been advised to recommend to Parliament the payment of these claims. Sir, this is a very dangerous experiment. It is, in fact, virtually getting rid of the control which the House has established for the purpose of preventing an undue expenditure of the public money. It is truly a dangerous experiment, because it would not put a limit to the extent to which these claims may go. If during the war with Denmark you are prepared to give the sufferers by that war the sum of 250,000*l.*, or a quarter of a million of money, because the country with whom you were at war did not make certain regulations as to the capture during the war, there is no telling to what extent these claims may now, and at future times be made; for if the principle of this grant of money is good with regard to Denmark, the principle is good with respect to every country with which you may be at war, whatever their

position may be, and however ample their means as to trade; and I say, therefore, that it is the duty of those who have any care for the mode in which the public money is to be expended, to oppose this first step, which shall introduce this new principle that you are to indemnify your own subjects for losses at sea during a war between this and any other nation. Sir, observe I am not here standing up to defend the rights of the Crown. I am defending the rights of the people of this country generally. You tell me there is justice in the claims of these individuals whose property has been sacrificed at sea; and that those merchants, who have lost their ships and cargoes during the war, have sustained a loss for which you are bound to show them some commiseration, and to make them some compensation. Sir, whether it be right or wrong, captures at sea during war are the invariable practice of nations, and that, as a totally different question from captures on land, is not the question now before the House. The right hon. Gentleman concluded by moving that the House will, on this day six months, resolve itself into the said Committee.

Mr. HAWES said, the right hon. Gentleman the Chancellor of the Exchequer had made a somewhat novel discovery, that, as a question was debated year after year, new arguments were advanced in favour of it. There was a distinct opinion from the Solicitor General that there was no declaration of war on the part of Denmark, which he should take the liberty of reading to the House:—

"I am of opinion that the instrument of the 16th of August, to which reference has been made, is not a declaration of war, and that it merely orders an embargo on British ships, and not the confiscation of them. There is a distinction between an embargo and a confiscation. It is stated by the law of England and of nations, that an embargo directs only the detention of the property from the owner; and a confiscation takes away the property altogether. There is nothing in the instrument in question which authorizes the taking away permanently any British property."

The right hon. Gentleman assumed the justice of the war, and that Denmark declared war. If that were so, all he could say was, that every State paper published at the time was in contradiction to the assumption. The Danish Minister did not leave till the 20th of November. The Danish Government had not confiscated any of our property until we had commenced to confiscate theirs; and negotiations continued long after the time it was asserted the war had broken out. The case of America, which had been referred to, was altogether different, for there no one doubted that a declaration of war had been made. But the right hon. the Chancellor of the Exchequer said there was no surplus; and, therefore, if any payments were made they must come out of the public purse. He was not so sure that no surplus could be found; but even if that were so, why did the Government refer these claims to adjudication, and call on the parties to produce proofs? Let it be remembered that the Government had been beaten by the decision of the House of Commons on five successive occasions. At length the matter was referred to Commissioners. What did they do? They called all the parties before them, and ultimately cut down their claims, 425,000*l.* to 225,000*l.* If the claims which they had adjudicated upon and adjusted were legal, and these not, he would admit the force of the opposition now made to his Motion; but they had the opinion of the late Sir W. Follett, that the former claims were not of a legal but of an equitable nature; and these present claims stood precisely in the same situation. The only strong arguments urged against these claims came from his hon. and learned Friend behind him (Sir T. Wilde), and rested on the assumption that there had been a declaration of war. But supposing that there had been a declaration of war, there remained the convention of the 7th of September to be got over. If there had been a declaration of war, why were not seizures made at once, and ships confiscated and sold, instead of being detained pending negotiations? But he would not argue the question on technical grounds: he called on the right hon. Gentleman to take an enlarged view of the interests of British merchants and shipowners, and not to allow innocent parties to suffer on account of the sudden adoption, on the part of the Government, of a policy deemed necessary to counteract the designs of Napoleon at the time when these transactions occurred. It had been stated that a proclamation had been issued, warning parties of the danger of hostilities; but against this was to be set the subsequent declaration of the British authorities, that the two countries were not in a state of hostility, and the continued residence of the Minister at our Court. He trusted that some of the law officers of the Crown would think it worth while to answer his

call, and by disposing of his argument render it unnecessary for him to divide.

Mr. CARDWELL: The hon. Member who had just addressed the House, complained in one part of his speech, that this question had never yet been settled by a fair and comprehensive discussion of it upon its strictly legal grounds; while in another part of his speech he invited the House to look away from the dry technicalities of law to equitable considerations and substantial merits. He was willing to meet the hon. Member upon either issue; and when he attached so much importance to the opinion of his hon. Friend the Solicitor General, which with some ostentation he had read to the House, he must be permitted to inform the hon. Member that nothing was so easy as to obtain from a lawyer an opinion favourable to your own view. For how was a lawyer's opinion taken upon a case submitted? It had become a proverb that you could attach no weight to the opinion of the most eminent lawyer, unless you saw the statement laid before him as containing the facts upon which that opinion had been obtained. Now he (Mr. Cardwell) had had an opportunity of seeing the facts stated to the Solicitor General, and the question put to him. He did not hesitate to say that upon facts so stated, in answer to a question so put, his hon. Friend could not by possibility have given a different answer. And yet the opinion so obtained did not affect in the least the decision at which the House should arrive. Was he without an instance even in this very question of the Danish Claims? For the purpose of dressing up their case, the claimants had obtained a favourable opinion from a lawyer not less eminent even than his hon. Friend the Solicitor General. Sir W. Follett, upon a case submitted to him, had advised in favour of the claims. Did that opinion conclude Sir W. Follett in his higher capacity of a Member of that House? On the contrary Sir W. Follett, having then no connexion with office, and no peculiar regard for the view taken at the Treasury, came down to the House of Commons, heard the comprehensive statement made by the then Attorney General, the Member for Worcester; and what was the course he took? He declined to give his vote in Parliament in accordance with his written opinion as a lawyer. He said, "I advised upon the case submitted to me; but I must act in the House of Commons upon the actual facts and merits of the case as I now hear and understand them." So much then for the weight which the opinion of his hon. Friend the Solicitor General, upon an *ex parte* case submitted to him as a lawyer, was supposed to have in this discussion. Well, but the hon. Member asked, "How can the House of Commons, which in two former cases has admitted these very claims, now stand upon some legal technicality, and refuse, in the present, the measure of justice they have accorded in the former instances?" He gladly joined issue on this question, for it brought them at once to the vitals and marrow of the subject. The hon. Member insisted that the several claims were identical in principle. Sir James Macintosh and the able jurisprudents upon whose arguments the former claims had been sustained, carefully repudiated the identity; for they knew that in regard to the claims now under discussion there existed a conclusive answer, which, if the identity had been admitted, must of course have been fatal to the whole. Sir James Macintosh therefore drew, as the House was now called upon to draw, the widest distinction between the cases. Sir James Macintosh rested his whole arguments upon this broad principle: "If you, the Imperial Government, fail to secure to your subjects the observance by other nations of the rights of international law, you are bound to obtain from the nation that breaks the law compensation to the persons who have been injured; and if, from any political considerations of your own, you decline to discharge this duty, and to enforce this compensation, you, the Imperial Government, and not the private persons, must bear the cost of these political considerations; or, in other words, you must pay from the Imperial Exchequer the compensation you have failed to obtain from the proper quarter." This was the principle of Sir James Macintosh upon which Parliament had conceded the two former classes of claims. Now let the House observe the real point in issue. Upon the arrival of Lord Gambier in the Baltic, and during his presence there, and subsequently, the Danish Government had confiscated three classes of goods, the property of British subjects, viz.:—1st, Goods on shore in Denmark; 2d, Book debts owing to British subjects; and 3rdly, The matter now in hand, vessels, and goods on board of vessels. But by the rules of international law a Government is not entitled, *etiam flagrante bello*, to confiscate goods on shore, nor book debts.

In these two cases, therefore, there was a clear invasion of the law of nations. We had not thought it expedient to enforce compensation from Denmark; and, applying the principle of Sir James Macintosh, the House of Commons had granted to the parties injured compensation from the Imperial Exchequer. But how stood the law of nations as to vessels, and goods on board of vessels? That in the event of war, they are the proper subject of confiscation. To sustain his case, therefore, with regard to them, the hon. Member knew he must meet, and he had attempted to meet, the issue—Was there, or was there not, war? Now, he (Mr. Cardwell) thought this was no way narrow or refined, but a wide and substantial distinction. War, or no war, in the two first cases the law of nations had been infringed; in the third, the question simply was—Was there a war, or not? The hon. Member said, at the time the seizures were made there was no war. Now, these seizures were all made subsequently to the date of the document which he held in his hand. That document had been often quoted in the course of these debates. It was issued by the Danish Government on the 16th August; and it referred expressly to the hostilities actually subsisting between the countries. But the hon. Member said this document, if it did amount to a declaration of war, was cured by another document subsequently signed between the parties. Now some hon. Members of that House were present in the fleet of Lord Gambier. They could testify to the occurrences of the 2nd September. The hon. Member for Lambeth said, that before that date there had been on the part of Great Britain no declaration of war. That was not the question. The question was not—Was there a declaration of war?—but, was there war? The campaign of Waterloo was preceded on the part of Great Britain by no declaration of war. Would the hon. Member inform the House what on the 18th June 1815 were the relations subsisting between Great Britain and the French Emperor? Were they the relations of peace, because there had been no formal declaration, or were they not the relations of war? On the 2nd September, 1807, the bombardment of Copenhagen was commenced. What, then, on that day were the relations between Denmark and Great Britain? But, said the hon. Member, admitting war on the 2nd, there was peace on the 7th September. And the hon. Member, with admirable ingenuity inventing a new argument, which in all these numerous discussions had escaped the preceding advocates of the claim—relied upon the convention of the 7th September. Now what was the document on which so much was laid? It was headed "Articles of Capitulation." It purported to provide for the safety of Copenhagen, and to extend only to the Island of Zealand. In truth, its sole object and its sole effect was to save Copenhagen from the impending horrors of bombardment. According to the hon. Member, it terminated the war, and re-established the relations of peace. What thought the Danish Government upon that subject? He held in his hand another document issued on the 9th September, two days after the former, which disposed of this notable discovery. It was a document issued by the Danish Government, and containing directions as to the conduct to be observed by their officers during what they call "this present war." The opinion, therefore, of the Danish Government as to its relations with Great Britain was beyond dispute. Now what was the opinion of Great Britain? The hon. Member, adverting to the document of the 4th November, had stated with some triumph that this was not a declaration of war—that the advocates of the Treasury had been deceived by an erroneous heading in the *Annual Register*—and that it was in fact a proclamation of reprisal. He (Mr. Cardwell) cheerfully admitted the correctness of the distinction. It strengthened his argument. The document was not strictly speaking a declaration of war—it was a proclamation of reprisal. It was not, as he had already shown, the custom of Great Britain to issue a formal declaration of war. But when did Great Britain issue a proclamation of reprisal? Was it during peace? Or did not a proclamation of reprisal necessarily imply on the part of Great Britain the acknowledgment of an existing war? Clearly, then, war existed in fact—clearly war was proved to have been recognized as actually subsisting by the official documents of both the belligerent parties. But if war subsisted, vessels and goods on board of vessels, were by the rules of international law the proper subjects of confiscation; and if so, then in respect of the case advocated by the hon. Member, no breach of that law had been committed, and no claim for compensation had arisen. He thought this disposed of the whole case, and was to the hon. Member, both upon the law and upon the wider grounds of equity, a full and conclusive an-

swer. There was, however, further evidence that the Treasury had not been actuated by a narrow desire to resist a claim, when it determined the question of peace and war. In 1810 claims had been made upon the Treasury, the justice of which depended upon a coarser argument; the Treasury, deciding against the interests of the Exchequer, ruled that there had been a war, and paid the claims. To that decision, so taken, when it told in favour of the claimant and against the public, the Treasury had uniformly adhered. Succeeding Governments and different law officers of the Crown had confirmed the decision with a unanimous voice. Sir James Macintosh, in advocating the other claims, had carefully disconnected them with these, resting as they did upon grounds on which he could not venture to rely. This decision the hon. Member invited the House now for the first time to overthrow. The hon. Member said, this claim had always been kept alive. He (Mr. Cardwell), on the contrary, said, that while the other claims were under the consideration of Parliament, this claim had been advisedly and wisely kept in the back ground. He believed that in 1838, the war having occurred in 1807, the other claims having been brought to a successful issue, the advocates of this claim had first ventured to submit it to the House of Commons. He believed it was unfounded in law—that on the score of equity it had no distinctive merits—that in policy the precedent would be most dangerous, opening the door for appeals, not to the justice but to the compassion of the House, for calamities unavoidably sustained in former wars, at however great a distance of time; and under the obligation of an imperative sense of duty, he without any hesitation supported the Motion of his right hon. Friend, that the House resolve itself into a Committee on this question this day six months.

COLONEL SIBTHORP: I wish to call the attention of the House to those Members who did vote upon the question in 1841, and who are not present now. I find that, on the occasion of the division in that year (1841), the ayes were 127, and the noes 96; and I find on that occasion the names of the following gentlemen, who are not present now:—The Solicitor General (Sir Fitzroy Kelly), Sir Frederick French, the Attorney General, Sir Charles Douglas, and Lord Eliot, who is now Lord St. Germans. Where are all the hon. Gentlemen gone? Will no one tell me? But I would say on this occasion that you have spent sums of money in ornamenting Trafalgar-square and other public places; but that it would be much better for you to be just before you become generous. I do look upon this whole transaction as a mean one on the part of the Government. Your merchants, who are paying an income tax of five millions a year, have a right that their property should be protected. Let us pay our debts, and when we have a surplus let us give away. This will be the proper mode of proceeding with our business. I have nothing whatever to do with these claims; I am no way interested in them; but I think them founded on justice, and as such ought to be discharged.

The House divided on the Question, that the word "now" stand part of the Question:—Ayes 58; Noes 85: Majority 27.

List of the AYES.

Aglionby, H. A.	M'Carthy, A.
Archbold, R.	Mangles, R. D.
Bagge, W.	Masterman, J.
Bailey, J.	Matheson, J.
Baine, W.	Moffatt, G.
Baldwin, B.	Norreys, Lord
Barnard, E. G.	O'Brien, T.
Baskerville, T. B. M.	O'Connell, D.
Beresford, M.	O'Conor Don
Bowring, Dr.	Ogle, S. C. H.
Bridgeman, H.	Ord, W.
Broadley, H.	Palmer, G,
Christie, W. D.	Pechell, Capt.
Chute, W. L. W.	Plumptre, J. P.
Craig, W. G.	Plumridge, Capt.
Crawford, W. S.	Rumbold, C. E.
Douglas, Sir H,	Seymer, H. K.
Duncan, G.	Sibthorp, Col.
Etwall, R.	Spooner, R.
Evans, Sir De Lacy	Stanley, E.
Finch, G.	Stuart, Lord J.
Forster, M.	Trelawny, J. S.
Hanmer, Sir J.	Wakley, T.
Hotham, Lord	Ward, H. G.
Hudson, G.	Wawn, J. T.
Hume, J.	Williams, W.
Inglis, Sir R. H.	Wodehouse, E.
Irton, S.	
Kemble, H.	TELLERS.
Long, W.	Hawes, B.
Mackenzie, T.	Buller, C.

List of the NOES.

Acland, Sir T. D.	Brotherton, J.
A'Court, Capt.	Buck, L. W.
Acton, Col.	Buller, E.
Adare, Visct.	Buller, Sir J. Y.
Arkwright, G.	Busfeild, W.
Austen, Col.	Cardwell, E.
Barkly, H.	Carew, W. H. P.
Baring, rt. hon. F. T.	Carnegie, hon. Capt.
Baring, rt. hn. W. B.	Connolly, Col.
Barrington, Visct.	Coote, Sir C. H.
Bodkin, W. H.	Damer, hon. Col.
Bowles, A.	Denison, J. E.
Boyd, J.	Denison, E. B.

Dickinson, F. H.	Law, hon. C. E.
Douglas, Sir C. E.	Lincoln, Earl of
Drummond, H. H.	Lockhart, W.
Duckworth, Sir J. T. B.	Macaulay, rt. hn. T. B.
Dugdale, W. S.	M'Neill, D.
Dundas, Adm.	Mahon, Visct.
Dundas, hon. J. C.	Maule, rt. hon. F.
Escott, B.	Molesworth, Sir W.
Estcourt, T. G. B.	Neville, R.
Farnham, E. B.	Northland, Visct.
Feilden, W.	O'Brien, A. S.
Fitzroy, hon. H.	Peel, rt. hon. Sir R.
Flower, Sir J.	Peel, J.
Forman, T. S.	Philips, G. R.
Frewen, C. H.	Rolleston, Col.
Gordon, hon. Capt.	Somerset, Lord G.
Goulburn, rt. hon. H	Stansfield, W. R. C.
Graham, rt. hon. Sir J.	Strutt, E.
Greene, T.	Sutton, hon. H. M.
Grey, rt. hon. Sir G.	Towneley, J.
Hamilton, W. J.	Trollope, Sir J.
Hamilton, Lord C.	Troubridge, Sir E. T.
Hayes, Sir E.	Wall, C. B.
Henecage, G. H. W.	Wellesley, Lord C.
Herbert, rt. hon. S.	Wilde, Sir T.
Hope, Sir J.	Wood, C.
Hope, G. W.	Wood, Col. T.
Houldsworth, T.	Wortley, hon. J. S.
Howard, hn. C. W. G.	TELLERS.
Jocelyn, Visct.	Young, J.
Jones, Capt.	Baring, H. B.

Committee put off for six months.

SITES FOR PLACES OF WORSHIP (SCOTLAND) BILL.

Mr. F. MAULE moved the Second Reading of this Bill. He felt it to be his duty to state to the House the grounds upon which he brought before it this, he admitted, somewhat novel and startling proposition; but he should prove that, after all, it was but a strong remedy for an extraordinary and strong grievance. It was not till all other means had been resorted to, and appeals had been made to the generosity of private individuals and to the justice and generosity of the Government, that he had been compelled to take this course. In the year 1844 a deputation had waited upon Her Majesty's Government, and, individually, upon those parties who had refused sites for churches in Scotland, to represent, in respectful and energetic language, the grievances under which the members of the Free Church laboured. He must say for Her Majesty's Government that, in private as well as in public, most of the Members gave the deputation assurances of their deepest sympathy; and their answers were to this effect, that if they had been individually concerned, they would not have hesitated to do them justice; but still no actual remedy had been afforded. In some places parties had yielded to the force of their own convictions, and partly to public opinion; but so much remained to be done, that he was compelled to come to the House to ask for a compulsory measure. The grievance, he was bound to say, was confined principally, if not altogether, to the religious body with which he was himself connected. In May, 1842, an event happened which had been termed by men whose talents and authority would transmit their names to posterity, one of the greatest revolutions that had ever taken place in this or any other country, attended with the fewest circumstances of discordancy as well as most free from acrimony and strife. In 1843 one-third of the people of Scotland separated themselves, for conscience' sake alone, from the Established Church of that country, remaining as firmly attached to the law and to the Sovereign of their country as any other party in it; and they were now suffering purely for having taken that step which they hod felt bound by conscience and honourable motives to take. On that occasion no less than 470 ordained ministers of the Church of Scotland resigned livings worth to themselves and their families of upwards of 2,000,000*l*., and more than 2,000 lay office-bearers of the Church followed in the train of their ministers. He must say, before he entered upon the larger and more disagreeable part of the case, that at that time, generally speaking, throughout Scotland, a readiness was shown to give to those individuals an opportunity of carrying out their religious opinions according to their own conscience. The congregations in towns were almost immediately accommodated either by Dissenting bodies, or otherwise; but in the country almost all the congregations were at first compelled to resort to the open air to carry on their religious ordinances; and it was a remarkable fact that for seventeen successive Sundays not a single drop of rain fell in Scotland. After a time, tents and other accommodations were provided. Of the numbers who, for som reason or another, refused at first to grant sites for Free churches, there had been many instances of persons who had since become convinced of the earnestness of the people, and that the movement was not a mere temporary movement, but a lasting one. He could not help mentioning one of these instances. His noble Friend the Duke of Sutherland had at first refused to grant sites for Free churches: till he was

convinced that the movement was real, and that it proved an earnestness of conviction, he did not think it right to give sites for edifices which might be only temporarily occupied, and which might, under such circumstances, interfere with the Established Church of the land. The moment, however, his noble Friend became convinced that his people were in earnest, he gave way, and throughout the length and breadth of the county of Sutherland, and in other places, the Duke of Sutherland was one of the first to recognize the claims of the Free Church, and the principles of religious toleration. But there were several who still kept the congregations in a state which was disgraceful to a Christian country—to a country which claimed to itself almost exclusively the merit of respecting civil and religious liberty. It would hardly be believed that in Scotland, at this moment, there were numerous instances of congregations being compelled to hold their meetings for public worship on the seashore, on the mountain tops, and in public roads, not only for ordinary service —for sermon and public prayer—but the ordinances of baptism and of the Lord's Supper were administered in the open air. Even in the depth of winter, exposed to every inclemency, the infant babe was held up for baptism, the child was exposed, and the sacrament administered without a roof to cover the individuals assembled, and all through the wilful determination of certain individuals who took upon themselves to say, at this time of day, "Because you choose to adopt certain opinions, you shall not carry on your worship with decency and comfort." He regretted to be obliged to bring before the House the names of individuals who had refused sites; but he had no alternative left him, as he was bound to make out to the House the peculiar hardship of the case; and he hoped the House would bear with him. The first case he should mention was that of certain Highlanders who lived in a remote district in the Isle of Skye. Lord Macdonald was a proprietor of large estates in the Isle of Skye. In the district of North Uist, Lord Macdonald had been applied to by a near relative of his own to grant a site for a Free church, his relative offering, if he did, that he would build the church at his own expense. Upon Lord Macdonald's estates there were 4,000 souls connected with the Free Church. Lord Macdonald's answer to all applicants was the same:—

"Sir—I beg to decline to give ground for the erection of a Free church on my property.—I am, Sir, your obedient servant,

"MACDONALD."

In this wild district, therefore, 4,000 souls were allowed to worship in the open air, or with only the cover of canvass. Sir James Riddell had taken a rather different course from Lord Macdonald. Like him, he had refused sites, but he had addressed to his tenants affectionate letters, in which he had pursued the imprudent course of giving reasons for his refusal; for, if his refusal was hard, his reasons were ludicrous. In that district a very large proportion of the people adhered to the Free Church; and Sir J. Riddell undertook to say that they should be compelled to worship in the open air, and would not allow a Free church to be built, because he differed from his people in opinion. In short, on his property no man who did not agree with Sir James Miles Riddell shall worship within walls, or under any roof but the canopy of heaven, throughout the forty miles of Ardnamurchan! Such are a Highland laird's notions of toleration even at this day. The next instance was that of Lord Moray, and it was one of peculiar hardship. Lord Moray had been applied to for a site for a Free church at Petty, where there was a congregation of 500 individuals. Several applications had been made to Lord Moray, and he regretted to say that they all had been attended with the same unhappy want of success. The members of the congregation to whom he referred were now obliged to worship under the flimsy covering of a tent, instead of possessing a substantial and sufficient building, such as they were able and willing to erect. Whether the resistance to the Free Church was to be imputed to Lord Moray himself, or to some other party having influence over him, there could be no doubt that Lord Moray was responsible in the eyes of God and man for the conduct that he permitted others to pursue. In the case of Lord Moray there might be "a power behind the throne greater than the throne itself;" but, however disposed to avoid blaming Lord Moray, he did think it only due to the House to call their attention to the *animus* with which this persecution of the Free Church was carried on in that part of Scotland with which Lord Moray was connected. In Aberdour there was a Free Church congregation, and they built a manse for their clergyman near

Lord Moray's park. The windows of that manse looked into the park, but the ground on which it stood did not belong to the noble Lord—it was obtained by the feuars of Aberdour. But, though the site of the manse bordered on the park, it was three miles from Lord Moray's residence, and it merely was adjacent to his park. Now, the House would be surprised to hear what happened. The manse was scarcely roofed when the factor of Lord Moray ran up a dead wall within three feet of the windows of the manse; and there that dead wall stood to the present moment, a monument of the merciless persecution that was carried on with reference to the Free Church in Scotland; and if any hon. Member would take the trouble to look at a paper which he held in his hand, he would there see depicted the position of the manse with reference to the dead wall. The next case to which he thought it necessary to refer was that of the people who lived upon the estates of Lord Seafield. That noble Lord was a very large proprietor in Strathspey ; and there could be little doubt that upon his estates the persecution of the Free Church was carried on with great activity. In the village of Grantown, there was a congregation of 2,000 people when regular service was supplied: a site for a church had hitherto been sought in vain. At Duthill, there was a congregation of 500: in summer it was larger. They were in no better condition. These congregations generally worshipped in the open air. He was not, however, so entirely without hope in this case as in most of the others which existed. With respect to what had occurred on the estates of Mr. Campbell, of Locknell, he should say nothing. The grave had closed upon him but lately, and he had been summoned to a higher tribunal; but he should take the liberty of saying thus much, that he hoped the successor of that gentleman would not follow his bad example, and alienate from him the affections of his people. The case of Lord Ailsa was another which he might mention. That noble Marquess having been applied to, put his refusal on very distinct grounds — "that he had determined to support the Established Church in Scotland, and he would not patronize anything which was calculated to interfere with that Church; he should therefore not accommodate the Free Church with any ground whatever." He humbly thanked Lord Ailsa; but it was his justice that the Free Church asked, not his patronage. It would not be necessary then to detain the House by going into all the special cases with which he had been supplied; but he could not omit mentioning that both Lord Cawdor and Lord Forbes had refused to grant sites. When a refusal upon this subject was received from Lord Forbes, application was made to another proprietor, his hon. Friend who seconded the Motion, for leave to bring in the present Bill. It had for a moment been unjustly supposed that he also would refuse, but that did not turn out to be the case; he did not follow the example that Lord Forbes had set, although the minister of the Established Church in the parish from which the application came, took the trouble to send to his hon. Friend a copy of the answer refusing a site, which had been received from Lord Forbes, in the hope that that reply would have induced him to give a similar answer. His hon. Friend granted a site, though unfortunately it was not so convenient as that which it was in the power of Lord Forbes to grant, but which he thought proper to refuse. He now approached the case of a noble individual for whom he entertained a very high respect. He confessed that he approached that case with great regret, for this among other reasons, that he had long been acquainted with the noble person whose name it was his duty to introduce into the present discussion. All who possessed the advantage of knowing him as a private friend were fully impressed with a very high sense of his character; and there was no doubt that towards his tenantry his conduct was generous, and even munificent—honourable traits, which only made his conduct in this matter entirely unintelligible. His course, however, in this matter assumed a very serious aspect, not only on account of the high station which he held in Scotland, but on account also of his position as a Minister of the Crown in this country. The Duke of Buccleuch was the person to whose conduct in this matter he desired to call the attention of the House. The noble Duke refused in two instances to give sites in the year 1843. He refused to accommodate any congregation of the Free Church with any spot of ground whatever. In Canonbie there was a congregation of between 600 and 800 persons: at that place the members of the Free Church were obliged to worship in a tent; the number of hearers averaged about 400 ; and they pitched their tent upon a piece of waste ground, and there they continued for some time,

until they found it necessary to remove, in consequence of the special interdict of the Duke of Buccleuch, to which they yielded obedience on the 5th of November. Upon that day they were driven from the spot of waste ground, and the only place then at which they could assemble was one where four roads met; and from the 5th of November, 1843, till the 4th of July, 1844, they continued to assemble at that place. At length the time arrived at which it became necessary for them to administer and receive the holy communion of the Lord's supper. Preparations were made for that sacred ordinance, and it was arranged that it should be held in the open air, where the four roads met. If the congregation which there assembled had been willing to put the Duke of Buccleuch quite in the wrong, they would have adhered to the resolution which they adopted, of holding that sacred ordinance in the open air; for, according to the doctrines of that church to which he (Mr. F. Maule) and they belonged, it was of no consequence whether they worshipped God under the wide canopy of heaven, or upon the wild heath, or by the shores of the roaring sea. They held that their worship could be as calmly and as conscientiously offered to the Divine Being in those places as within the proudest fane that the wealth or ingenuity of man had ever erected—that priest had ever consecrated. It was intimated to the Duke of Buccleuch, that the congregation intended so to hold their communion; and his grace thereupon gave them the use, for that single occasion, of a field where a tent might be placed for that purpose; and there, under the shelter of their tent, they were allowed to celebrate that sacred rite. Of that leave they availed themselves, not wishing that an ordinance so sacred should be exposed to the possibility of disturbance. But let it be remembered, that after that occasion they were no longer permitted to enjoy the use of the field. On the following Sunday they were obliged to go back to their old position at the cross-roads; and there was no place in which they sought to establish a tent, that they were not sooner or later obliged to vacate, excepting that on which they had met since July, 1844. An application of no ordinary character was then made to the Duke of Buccleuch. It was one not signed by Free Churchmen, but, on the contrary, bore the signatures of 1,083 persons, belonging to every class of religionists in the parish. They were persons who entertained a high respect for the Duke of Buccleuch; and in addressing him they thought it their duty to represent that by those repeated refusals he was doing injury to his own character, and weakening his own influence. They earnestly petitioned the Duke that he would grant a site for the Free Church; but they received no answer. A petition was then addressed to the Duke by the Presbytery of Lockerby, the receipt of which was merely acknowledged. Again in July, 1844, another application was made to the Duke, to which a verbal answer was given through his factor, granting permission to erect a tent, removeable at the Duke's pleasure, wherein they now met. It might be said that there were three churches in the neighbourhood; but he assured the House that the centre of the congregation was at Limiecleugh, which was six miles from Langholm, and five and a half from Morton. Next, there was the case of Wanlochhead, which was perhaps the highest inhabited ground in Scotland. It was a village which dated its origin from the time of the Revolution. At that time there was a German in Scotland, who thought that he saw indications there which justified an opinion that there were mines in the neighbourhood that contained the precious metals. Those expectations were not realized; but lead mines of considerable value had for a long time past been worked by the inhabitants of Wanlochhead. To show the House the hardship of this case he would sketch to them this interesting and isolated people. Without exception they all belonged to some church, and according to his information might be classed nearly as follows: The members of the Free Church there were 520; those of the Established Church 250; and though thirty-two belonged to one sect, twenty-eight to another, and nine to a third, yet there was not one inhabitant of that village who had not selected some church or other to go to; yet, though as many as six applications were made to the Duke of Buccleuch for a site there, those applications proved unsuccessful, and the people attached to the Free Church were without any means of going to church in decency and comfort. There were in that village as many as 150 persons who had for many years abstained altogether from the use of spirituous liquors; but though the inhabitants of that village were so few in number, they possessed a joint library of 1,900 volumes; and so rare amongst them was crime of any sort, that within the me-

mory of man there had been only one conviction, and that was for forgery. Now, the hon. and learned Gentleman opposite knew that forgery, in Scotland, though against the law, was not always a crime of the same magnitude as in England. Further, it might be stated to the honour of those miners, that they contributed one shilling per cent on their earnings to the support of the poor. Was not this a village of which a landlord might well be proud? He should now ask the House what did they they think was the accommodation provided for the clergyman? He lived in a room nine feet square. If application were made to the Secretary of State for the Home Department, he would not sanction such a space as a cell for a common thief. He would read an extract from a letter written by the pastor of the Free Church at Wanlochhead in these words:—

"My accommodation consists of one apartment, which I believe is not larger than the cabin of the *Betsy*, being about nine feet each side, and which if I had not accidentally obtained I must have left this place. My family lives thirty miles distant, in Maxwelltown. I am frequently attacked, and Mrs. H. more so, in moderate newspapers, for being so far separate, there being no necessity. But in September, after the disruption, I went to Sanquhar, and to Thornhill, and could find no proper house to put them in; and, therefore, was obliged to go where one could be obtained. It is no easy matter to flit often. I was born and brought up in the neighbourhood of Thornhill, within sight of the castle of Drumlanrigg, and feel deeply attached to his Grace by every tie, and would go through fire and water to oblige or benefit him, if it were in my power; and, therefore, we hope and pray that the means now using will cause his Grace to yield and grant us a site."

And, further, he begged that the House would allow him to read a letter from Dr. Chalmers to the Duke, dated December 22, 1845—the last appeal, and, from a quarter which, it was thought, that no reasonable request would come in vain. Nothing could be more moderate or charitable than the tone of that letter; and yet, would it be believed, it had remained to the present hour unanswered?—

"Edinburgh, Morningside.

"My Lord Duke—The days have been when, honoured by your Grace's confidence, I held full converse with you on matters connected with the Christian good, and, as closely related to this, with the highest moral and economic well-being of the people.

"The unfortunate misunderstandings that have occurred since, have not effaced the strong conviction which our intercourse then, of some ten years back, left behind it—and that is, of your Grace's earnest and patriotic desire for the substantial prosperity and welfare, in every sense of the word, both of your own people and of the community at large.

"It is because encouraged by this persuasion, and under a deep sense of duty, that I now venture to address your Grace; and to add one interceding voice more to the many others which have been lifted up on behalf of the families of Wanlochhead and Canonbie.

"Had I the slightest apprehension that the lessons to be delivered in that church which they crave the liberty of erecting on your Grace's property were to be any other than the pure and peaceful lessons of the Gospel of Jesus Christ, I should be the last to appear in favour of their humble and most righteous application. But, believing as I do that they are actuated by a real and honest religious principle, I would most respectfully implore of your Grace not to persevere in a conflict with the rights of conscience and the sacred cause of religious liberty.

"It is not a spirit of faction or of turbulence which actuates these men. They have come out from the Establishment under the impulse of what they deem to be a high and holy cause, and of convictions transmitted from those good old days of their forefathers, when Scotland could lay claim to the most intelligent and orderly, as well as the most religious population on the face of the earth. But I am not going to advocate either their particular views or my own. It is enough that they are the views of well-meaning and conscientious men, whose principles are in fullest harmony with all the demands of law and of public order; and from whom, I promise your Grace, that should you be moved to comply with their petition, you will experience nothing but the utmost loyalty and gratitude at their hands.

"I am unwilling to lengthen any further my communication, for which I have to crave your Grace's forbearance and favour. Let me hope that in the spirit of our great and blessed Mediator, who interposed between God and man, not to shut but to open the way of access for the guiltiest of our race—let me earnestly hope and pray that his blessed Spirit from above may descend upon us all; and then, while in the full enjoyment of religious freedom, might we yet look for the re-establishment both of 'peace and of truth in our days.'—I have the honour to be, my Lord Duke, your Grace's most humble and obedient servant,

"Thomas Chalmers.

"His Grace the Duke of Buccleuch."

He would not ask the House to give an opinion as to who would benefit most by this transaction, the Duke of Buccleuch or Dr. Chalmers. Such conduct on the part of the Duke was the more extraordinary, for there was no trait in his character which he (Mr. F. Maule) more admired than the admirable and disinterested manner in which his Grace had uniformly acted with regard to the distribution of church patronage. And on that subject there was an anecdote which he should take the liberty of relating to the House. One day, whilst Dr. Chalmers sat at dinner in the bosom of his family, he was told that a young man wanted to see him on business connected with the Church. Dr.

Chalmers went out to him, and so modest, so simple, so unassuming was the conduct of the Duke of Buccleuch (for it was he), that the doctor thought he was a student come to ask for aid in obtaining some appointment in the Church. The Duke, however, at once undeceived him, and told him that he had come to consult him, not as to how he might get, but how he ought to distribute church patronage. The anecdote was equally honourable and creditable to the Duke and to Dr. Chalmers. The conduct of persons of such exalted rank and station was most beneficial, if directed for good—most baneful to the public, if for evil. He would next take the Duke of Richmond, who had complained that the Free Church people were disposed, when they were offered sites, to cavil at them. Now the case stood thus. The Duke of Richmond had offered twelve sites for churches to the people on his property. Of these eleven had at once been accepted, without stop or hesitation to consider whether they were eligibly situated or not. They were taken, too, not for ever or for long terms, but on leases for only nineteen years, and the Free Church congregations had invested large amounts of property in building both churches and schools upon them. The twelfth site they certainly had refused to accept, because it was situated remote from the place where their congregation resided. It was in the upper part of the parish of Inner Avon, some miles from where they were chiefly collected, and amongst a people who were almost exclusively Roman Catholics. When they expostulated, the Duke replied that he thought they had better go to the upper part of the parish, where they could have plenty to do in converting the Roman Catholics. They said they did not want to convert the Roman Catholics; they only wanted to worship in peace after their own fashion, and they wished the Roman Catholics to worship after their own fashion also. He (Mr. F. Maule) thought he had now made out a sufficient case of individual hardship, of great intolerance, and of great persecution, to warrant sufficiently the interference which he sought. To show that foreigners looked upon it as such, he would refer to the published report of a divine of no mean reputation, he meant Dr. Merle D'Aubigne, who had thus expressed himself in a letter to Dr. Chalmers:—

"I may tell you frankly, dear and venerable brother, that this refusal of sites is perhaps the only painful impression which I carry away from Scotland. A foreigner comes into your land as into that of the gospel and of liberty, and he sees there things which are not to be met with in the most despotic countries of the Continent. How can this denial of religious liberty accord with the national character of Scotland? This is to the stranger an inconsistency which it is impossible for him to explain. Had I been deputed to the General Assembly of the Establishment, as I was to yours and to the Continental Associations of Edinburgh and Glasgow, I would have spoken there to propose a measure from that body in favour of religious liberty. I do not doubt, that all the honourable men who are found in it will feel themselves called upon to propose such a step, should the refusal of sites last another year. But I hope that it will not last, and that the painful impression which the stranger now receives will be quickly effaced. I do not hesitate in saying, the honour of Scotland is engaged in it."

The honour of Scotland was so engaged; and if the Established Church of Scotland, which had lately shown a sympathy with persecution elsewhere, would extend it to those whom they believed to be more hostile to her than they really were, she would do more to disarm prejudice than by the course she was now taking. She had sympathized with the Canton de Vaud; but after she had looked at and expressed an opinion on the persecution abroad, let her now look at and ponder on persecution at home. He was not without hope of the Government aid; for he had in favour of the principle of his proposal the written declaration of the head of the Government on the introduction of the Maynooth Bill, which would be equally applicable to any proprietors of any country; and of the noble Lord the Secretary of State for Foreign Affairs, in his deprecation of the proceedings in the Canton de Vaud, which he could not avoid quoting. The Premier, in introducing the measure for Maynooth, and in speaking of Protestant proprietors in Ireland with Catholic tenantry, said—

"Such a man, his tenantry being all Roman Catholic, and he deriving his wealth from their labour, should rather say, 'I should act against the will of the Supreme Judge of all if I refused my assistance in order that you should enjoy the consolations of religion. I feel a conviction that I shall act more in accordance with the principles of the faith which I profess, by seeing that you have those consolations. I differ from you on religious doctrines; but still my wish is, that in the hour of need, you should receive spiritual instruction and consolation from the hands of those from whom you can derive them. I will consent, therefore, and I will give you a piece of ground for a chapel.' If I were in such a position, should I violate any precept, in the face of the country, of the

holy religion which I profess, were I to act in this liberal spirit ?"

Again, what says Lord Aberdeen to the rulers of the Canton de Vaud ? They did not merely refuse ground to build, but they silenced the preachers :—

"Her Majesty's Government are unable to comprehend how any peculiarity of legislation or position can be considered as justifying a departure from those first principles of civil and religious freedom, the maintenance of which forms the distinction of civilized Christian States, and had, till now, been the boast of the Canton de Vaud. On the contrary, Her Majesty's Government were entitled to expect that those Cantons would call themselves liberal, would have been solicitons to establish their claim to that title, by setting the example of a scrupulous regard, equally for the rights and liberties of their own citizens, as for those of their confederates."

These were noble opinions—entirely concurrent with his case. He (Mr. F. Maule) wished that Her Majesty's Ministers would turn their eyes from the Canton of Vaud to Scotland, and apply there those opinions which they had expressed with regard to other places. Let them remember the Free Church of Scotland was not an isolated body consisting of few and scanty congregations. In 1843 the considerable number of 470 ministers resigned their livings, and they were followed by many who had not livings, so that there were about 500 congregations : these had now increased to 831 congregations. Since 1843, that poor country had for religious and ecclesiastical purposes subscribed and paid into the Bank within 100,000*l.* of 1,000,000*l.*, and with the sums uncollected, but quite certain to be paid, the whole amount would exceed 1,100,000*l.* They had built about 600 churches ; 40 more were in progress, and many more would be built within a succeeding year or two. There had been subscribed for manses upwards of 112,000*l.*, and 191 manses had been built for the accommodation of the ministers. They had also conferred a boon, for which the country was indebted to them, by founding 558 places of education, for which they had provided 46 teachers with a salary of 20*l.* each, 41 teachers with a salary of 15*l.* each, 273 teachers with a salary of 10*l.* a year each, and 200 teachers receiving no salary at all. These schools communicated knowledge on no sectarian principle ; they gave a moral, religious, and general education, and all might come within its range. They were also establishing, and there would be soon established, an ornament to the city of Edinburgh—a theological college for this Free Church. In the course of three weeks, twenty-one individuals had subscribed the magnificent sum of 21,000*l.* The college was in the hands of one of the most eminent architects Scotland had produced, Mr. Playfair; and this college would not only be an ornament in itself, but in it nothing would be disseminated but pure gospel truth, and no lessons taught but lessons of peace. This was the body for which he claimed the interference of the Legislature. The Bill proposed to take from the proprietors a certain portion of their land forcibly and without their consent. If he looked for precedents, he might find them in the case of lighthouses, where, for an object beneficial for all nations, the Trinity-house was allowed to take such lands as would answer their purpose ; but he passed by all precedents, and said at once that his Bill was founded on imperative necessity, and its machinery taken from an Act called "Lord Roseberry's Act." By that Act permission was given to the owners of entailed property to alienate it for precisely the same purposes as he asked by this Bill; and he took the same machinery, he left it to the same judicial officer to see that individual comforts were not interfered with, and that the new churches were not built within objectionable distances from the Established churches, and he left it to the sheriff to fix the price of the land; but where the former Act only permitted alienation, he would, under the circumstances of Scotland, compel the sale. He admitted that, to a certain extent, this was an interference with private property; but they interfered in the cases of railways and canals, with the addition of exposing the proprietors to the expense of a fruitless opposition. But then it might be said, that in those cases the Legislature said by the Act itself the exact property that should be taken, and the manner of taking it; and that he might have brought in a private Bill for each site; but could he propose such an enormous expense after the efforts which these parties had made, and which would be entailed on them to maintain their own church ? There were duties with reference to property which, if neglected, made it liable to the risk of its being interfered with by the Legislature ; and after the instances he had quoted—and the more he could quote — no one would stand up and deny that the duties of private property had not been grossly neglect-

ed. He asked the House which was the best of the two alternatives — whether they should pass this Bill, by which, at the instance of a judicial officer, responsible to that House and the Executive Government, an eighth of an acre in some instances, one-fourth in others, and at the most two acres of a man's land, might be taken to provide sites whereon to build churches; or whether they should refuse it, and thereby engender in the breasts of one third of the people of a great country a spirit of discontent and hostility towards those who made the laws by which they were governed, as well as towards their landlords, and spread amongst them disaffection and despair of any remedy for their grievances? If they did not meet the evil, and nip in the bud the cause of discontent, it would so extend as to place his country in the same position as a neighbouring country, and to make Scotland as discontented as Ireland. Men were but men, and there was a point to which tyranny might go; but at which it must stop at last. There was a point at which human endurance ceased, when the hope of amelioration was lost. His country had not yet lost hope; but if the blessed hope they still entertained were frustrated, the consequences might be disastrous. If, deprived of the means of religious instruction in the only way which she could conscientiously accept it, the poor Highlanders of the Free Church should once more become a savage because an ignorant race, the fault, he hesitated not to say, would lie at the door of the Legislature, which had refused to interpose when they might have prevented the evil. All that the Free Church asked for was simple toleration. They asked not for grants or endowments—they would repudiate them if offered; they asked only for toleration, that every man in the country should be permitted to worship God in decency and peace; and if that were refused them, he could not answer for the course which many might pursue under such desperate circumstances. It had been said of their church, by those who had most foully calumniated them, that they had taught lessons in that church disrespectful to the law, and tending to subvert the obedience of men to that law. He denied that fact; they only claimed for themselves the right of worshipping God according to their consciences—a right which they were prepared to concede to all the world. The right hon. Gentleman concluded by moving the second reading of the Bill.

SIR J. GRAHAM: Sir, knowing as I do the deep interest which the right hon. Gentleman takes in the subject which he has brought under your notice, and admitting also that this subject is deeply interesting to a very large portion of his fellow countrymen, I cannot in justice complain of the length of time he has occupied in addressing you upon this occasion; but the remaining portion of the time allotted for the discussion of the day being short, I shall not follow the example of the right hon. Gentleman by trespassing at any great length upon your patience. But at the same time I think it necessary that I should at once rise to address you after the speech of the right hon. Gentleman, and I can say with great truth that I approach this subject for the second time with heartfelt pain. This subject was discussed towards the close of last Session, and my feelings with respect to it, so far from being altered, have, if possible, received a deeper tone from the consideration I have given to it, and from the observations that have been made upon it by others. I cannot but regard the large secession which took place from the Scotch Church in 1842 as a great national calamity. I admit that that secession was large—I admit also that the evil of the secession was great—and I also admit that the conduct of the ministers who seceded was pure and disinterested—disinterested in an eminent degree; because for conscience' sake they made a sacrifice of their temporal interests. There are many principles for which the right hon. Gentleman has contended, against which not only am I not prepared to argue, but which I readily admit. I admit, for instance, that it is not for the interest of religion that the evils complained of should exist; and, I am convinced that persecution on the part of an ecclesiastical establishment is not only contrary to the interest of that establishment, but a disgrace to it. I also adopt every expression that fell from my right hon. Friend the First Minister of the Crown upon this subject on a former occasion. I adopt also most gladly, and I am proud of the opinions expressed by my noble Friend the Secretary of State for Foreign Affairs, in a despatch written by him with respect to ecclesiastical persecutions in the Canton de Vaud. With respect to my noble Friend, it is not sympathy in the spirit of toleration only, but I am sure that the right hon. Gentleman will allow that upon this very matter of granting sites, Lord Aberdeen, immediately after the secession,

was the very first person in Scotland who set the example. My noble Friend necessarily took an active part officially in the discussions with that portion of the Established Church of Scotland which seceded; and no sooner had the secession taken place, than upon his own property he took the earliest opportunity of granting sites for the erection of Free Church places of worship. The right hon. Gentleman has quoted several instances in which sites have been refused. I am not prepared to follow him through those details; but I would beg him to observe that the instances of refusal which he has brought before us are few in number, although they are not unimportant, from the rank of the persons who gave those refusals. The right hon. Gentleman, however, made many important admissions. He said, that nothing but extreme necessity could justify legislative interference; and he said also, which is most important, that when this secession first took place, there was, on the part of many landed proprietors in Scotland, a disposition, which he did not blame them for, to wait and to see whether this disruption might not be healed, and whether a reunion with the Established Church, in a case where there was no doctrinal difference, might not still be effected; for, although I do not say that because in a matter of conscience the groundwork of difference may in the eyes of spectators be small, therefore the secession may not be justified; yet in this case, it must be remembered that the Westminister Confession of Faith is common to both parties; and therefore, in point of doctrine, there is no substantial difference—the difference is only one of discipline. Still I admit that the rights of conscience are not varied by that circumstance. But I was about to remark that the right hon. Gentleman had admitted that in some cases the proprietors were not to be blamed if, in the first instance, they refused to admit that this secession was permanent; and the right hon. Gentleman has stated, that the Duke of Sutherland and many proprietors in the north of Scotland hesitated in the first instance, in the hope that the secession might not continue; but directly they felt the painful truth that it was of a permanent character, they recalled their refusals and had granted sites. [Mr. F. Maule: I said "some proprietors," not "many."] In Ross-shire I am told that many proprietors refused, but they have also withdrawn their refusals, and the progress of time will have the effect of softening that indisposition on their part; and I believe that in a short time, if you will wait a little longer—without any violent interterpotion of law, all that you desire will be effected. With reference to the case mentioned by the right hon. Gentleman, of a wall having been built on some property of the Earl of Moray, close to the windows of a new church, it appears to have arisen from some misunderstanding on the part of Lord Moray's factor, and without the knowledge of Lord Moray himself. I hope the House will not imagine that I justify acts of that kind; but I fear that, if you pass this Bill, you will infallibly fall into the evils which the right hon. Gentleman referred to in the case of Lord Moray, and will increase the social bitterness which exists in that country, and aggravate all the evils which you are so anxious to mitigate and allay. You may compel the granting of sites; but you cannot prohibit the building of walls on adjacent lands. Then the right hon. Gentleman referred to the case of a Colleague of mine, and he mentioned two parishes, with one of which I am acquainted — the parish of Canonbie. I admit that, in the case of that parish, no site has been granted for the building of a new church; but there are three churches already there —the average distance from them of all parts of the parish not being more than four or five miles. I do not say that this is a justification of the refusal of a site; but still I contend that with regard to the circumstances of Scotland, a distance of four or five miles from a church is not attended in that country by the same inconvenience as here. And then the right hon. Gentleman said, that the minister of Wanlochhead was compelled to reside in a place not nine feet square. These cases are much to be deplored, and I cannot but think there must be some deep-seated cause for such conduct as the right hon. Gentleman has described in such an individual as my noble Friend the Duke of Buccleuch. What did the right hon. Gentleman admit? He admitted that towards his neighbours and tenantry the general character of my noble Friend was that of a benevolent and kindhearted man; that even with respect to the church, he disposed of his patronage, which was large, not from any political or interested motives, but with a sincere desire for the spiritual welfare of the parishioners. He

has told you, highly to the honour of the noble Duke, whose manner and conduct upon all occasions is anything but presumptuous, of an interview with Dr. Chalmers, when he wanted to promote the welfare and peace of a parish by consulting him with regard to the disposal of certain church patronage. And here I must say that I can never mention Dr. Chalmers's name without expressing the high opinion I entertain of his merits. I once had the honour of enjoying his friendship. I venerate his character, I admire his talents, and I respect in the highest degree that single-mindedness that renders him pre-eminently remarkable among the great men of the present day. I say, therefore, for that individual I can feel nothing but warm respect and veneration. Can it be, then, that the Duke of Buccleuch, having sought confidential intercourse with Dr. Chalmers, having heretofore consulted with him as to the disposal of his church patronage, should have made the refusal referred to by the right hon. Gentleman without some strong and justifying cause? May there not be some deeply-seated cause for the disapprobation evinced by the Duke of Buccleuch towards the seceders from the Church? I say it with pain, but I am satisfied of this, that there are two causes which at the present time have operated in the resistance on the part of conscientious men with reference to the progress of the establishment of the Free Church. Those men, being conscientious friends to the Established Church, have been deeply grieved by the conduct of the seceders; for not only have those seceders left the Church, because they disapproved of its discipline only, and not its doctrines; but they have gone forth, attempting to alienate others from it also, and to work its overthrow. Their cry has been, "Down with it, down with it; it is an abomination." Such being their conduct with respect to an Establishment which others love and revere, you must make some allowance for human infirmity if, in the first instance, persons should be reluctant to aid in particular localities where they possess property those who were actuated by so hostile and unchristian a feeling towards the Establishment they loved. A spirit of bitterness and anger, from causes acting and reacting upon each other, has thus been mutually engendered; and the consequence has been that the ministers of the Free Church in those localities have used their influence on public occasions to denounce in angry and unjust terms the proprietors themselves to their tenants. This is all natural; but, as I said, it acts and reacts, and an angry feeling is thus excited and interchanged. This I have no doubt is the true explanation why a man so kind, so generous, and who is anxious to consult the wishes of his tenantry, and who is not disposed to resist public opinion—this is the reason why the Duke of Buccleuch has not given those facilities for building churches upon his estates which, under other circumstances, he would have done spontaneously. [Mr. F. MAULE: He never did it anywhere.] The Duke of Richmond, in eleven out of twelve parishes, has granted sites; and the cases of complaint are, therefore, narrowed to one out of twelve against him. What are the general circumstances on the showing of the right hon. Gentleman himself? The Free Church has already built 600 churches, and there are 40 churches now building. It has funds to the amount of 1,000,000*l.* The number of parish churches in connexion with the Establishment is 1,100; and the Free Church has, therefore, already built more than half the whole number of churches in connexion with the Establishment. There is no want of funds and ample means; and my own strong opinion is, that unless you interfere prematurely and unnecessarily with the course of law, all that you can desire will be effected within a short time. I will not go into a searching criticism of the speech of the hon. Member. But if you extend the principle of such a measure to Scotland, why should you not extend it also to Ireland and England? Why, too, should you limit it to a Christian congregation? Here, then, are two knotty questions which meet you—why should you restrict the Bill to Scotland? and why should you restrict it to a Christian congregation? The spirit of toleration knows no such limits. You ought to extend the measure, if it be a sound one, to every part of England, and to every sect, without an exception. I don't wish to put the principle of an Established Church higher than it ought to be placed; but it is the duty of the Legislature to take care that in every district of the country, within a reasonable distance, there should be a religious edifice in connexion with the Establishment, where the whole community may have the opportunity to meet for religious worship. It is consistent with toleration that the State should offer no impediment to the means of

religious worship, carried on without the aid of the State—not by the State, but by the permission of the State. But what is the Legislature asked to do here? That a power should be given, limited to Scotland, to take by force of law four and a half acres of land in each parish for the use of one sect. It may be presumed that the parish church in each parish is in the most convenient situation. Assuming, therefore, that the Dissenters are dispersed through the parish, as the members of the Established Church are scattered, the probability is that the sheriff, acting under the powers of this Act, will choose a position for the Free church immediately adjacent to the parish church. If this Bill is extended to other sects, we shall have all the churches of all the Dissenters brought to one spot; and there will be a Babel of dissent in every parish, where, by the force of law, churches, schools, and schoolmasters, without the consent of the landowners, are brought together in a state of chaotic confusion and of angry discord. I object to this Bill, because I can see no public good arising from it. Religious strife will be increased by it; and I do not believe that it is necessary. The proprietors of land in Scotland generally exercise their rights with moderation, and are amenable to public opinion; and I believe that they will not hold out and refuse sites for churches and schoolhouses. On the whole, I do not see why the right hon. Gentleman should press his Bill now, when it is admitted that this step is extraordinary, that it is unjustifiable, and that it is unprecedented. I deny the analogy between the present case and that of railroads; and I doubt the propriety even of the Established Church possessing a power of this kind. A doubtful power of taking sites is said to be given by the Church Building Act; but it is so guarded and restricted, that in practice it cannot be carried into effect. I object to the Bill, because so far from adding to the prospect of religious peace and harmony, it will greatly aggravate existing evils. It is not a message of peace, and concord will not be its fruit. It is, therefore, my duty to move that the Bill be read a second time this day six months.

Sir R. H. INGLIS rose to speak in defence of religious toleration. Freedom of conscience and religious toleration were not confined to congregations, but extended to the individuals who were the proprietors of land. What right had the hon. Member to quote the names of different individuals who had acted from conscientious motives, and to say that they ought to be bound, either voluntarily or otherwise, to give encouragement to a cause which they believed not to be right? They had consciences as well as Dr. Chalmers and Dr. Candlish. He agreed with the Secretary of State for the Home Department, that the question ought to be discussed on larger grounds than as between the Free Church of Scotland and the Establishment in that country. Instead of being built in those parts of the parish where there was a want of religious accommodation, his information led him to believe that the Free churches had been placed as nearly as possible in juxtaposition with the parish church, for the purpose of drawing away the old congregation to the new church. The inconvenience complained of by the refusal of sites only existed, it was admitted, in a very few instances. No difficulty was felt in towns, but only in distant parts of the country; and it would be, in his opinion, a gross act of tyranny to compel proprietors to give their land. He should support the Amendment that the Bill be read a second time that day six months.

Debate adjourned.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, June 11, 1846.

Minutes.] Petitions Presented. From Hanley and Shelton, in favour of the Corn Importation Bill.—By Lord Campbell, from the City of London, and other places, praying that a Bill may be passed compensating the Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).—By the Duke of Richmond, and Bishop of London, from Kendal and Boston, for the Adoption of a Measure for the Employment and Reformation of Discharged Prisoners.—From Gnosall, and other places, against the Corn Importation and Customs Duties Bills.—From Upton Bishop, and other places, for Repeal of Lunatics Act and Pauper Lunatics Act.

CHESHIRE AGRICULTURAL SOCIETY.

Viscount COMBERMERE presented a petition against the repeal of the Corn Laws; and among others one from the tenant-farmers and other members of the Cheshire Agricultural Protective Society, praying the House to reject the Corn Bill, and the other free-trade measures of Her Majesty's Ministers. The noble and gallant Viscount said he cordially supported the prayer of this petition.

Lord DELAMERE, in reference to this petition, denied that it expressed the opinions of the tenant-farmers of Cheshire. It emanated from a meeting which was held

at Crewe, the chairman of which was his respected friend, Sir Richard Brook; but there were only two or three tenant-farmers present, and as far as they were concerned, the meeting was a total failure. He assured their Lordships that the majority of the tenant-farmers of the county palatine of Chester were in favour of the Bill now before the House. This opinion was confirmed by the evidence of circumstances which were notorious to the public. There had been no alteration whatever in the price of land in the county; and in the value of every species of farming stock, corn, as well as cattle, there had been none but the usual fluctuations. If there had been any farms to let, the applications for them continued to be as numerous as before, and at no diminution of rent. He mentioned these facts from his general knowledge of the county, not of his own estate only. He had supported the Bill before the House from its first introduction, and he should continue to support it, because he was convinced that, if carried, it would be of very considerable benefit to the public in general, and be attended with no injurious consequences whatever to the agricultural interest. He was told it was but the commencement of other measures, which were intended to interfere with the constitutional privileges of their Lordships, and to overthrow the ancient institutions of the country. But he did not in the least credit such representations; if he did, he would be the last man in that House to support the Bill, and least of all such measures as the Anti-Corn-Law League would prefer, for he liked them not; but he conscientiously believed the present Bill would be of great advantage to the country generally, without any diminution of advantage to the agriculturist.

VISCOUNT COMBERMERE was obliged to his noble Friend for his tacit admission that this was a farmer's and not a landlord's question. He (Viscount Combermere) had nothing to do with the society or the meeting from which the petition emanated; but he would inform the House that a great number of his noble Friend's own tenants were members of the Association. As to the Corn Bill being supported by the people of Cheshire, the assertion was founded upon a misconception of the state of feeling. His noble Friend must have been in such places as Macclesfield, Stockport, and Congleton. He (Viscount Combermere) had been all over the county, and except in that corner of it which was near the head-quarters of the Anti-Corn-Law League he found the people were very much averse to the Bill.

LORD DELAMERE asked the noble Viscount whether he was able to state that a large number of tenant-farmers attended the meeting in question?

VISCOUNT COMBERMERE, in reply, said he had a list of the members, tenant-farmers of the society, which he would read to the House, or present to his noble Friend.

LORD DELAMERE, in reference to a statement which was not heard, said he ought to explain, that in Cheshire land was not generally let on lease. There were few instances of land being let on lease in that county.

The DUKE of RICHMOND said, the noble Lord (Lord Delamere) had just given a pretty strong proof, perhaps unconsciously, of the feelings of the tenant-farmers of Cheshire. Notwithstanding they held by the year, they were found coming farward expressing opinions as to this Bill in opposition to those of their landlords. The tenant-farmers had been ill used throughout all these proceedings. They were continually presenting petitions to that House, stating that they did not like the Bill; but whenever one was presented from them, up jumped some noble Lord, as the noble Lord had just done, and said he knew that, contrary to what they stated in the petition, the tenant-farmers were not against the Bill. Why had not, he would ask, the noble Lord (Lord Delamere), with all his influence, induced the tenant-farmers to present a petition in favour of the Bill? That he had great influence with them was evident, for he found the noble Lord's name among the subscribers to the "Cheshire Agricultural Protection Society." The president, too, was Lord de Tabley, who had given a proxy in favour of the second reading of the Bill. The two noble Lords, he found, not only joined the society, but they supported it by their influence, and contributed to its funds. The farmers of Cheshire were no doubt grateful to them for these attentions; but their gratitude would not, he thought, last very long, when they came to know that they had voted, both of them, for a measure so detrimental to their interests. The question would not be long before it was put at rest; and he (the Duke of Richmond) hoped the Cheshire farmers would follow the example of those of Nottinghamshire and Gloucestershire, and not

return any man to Parliament who had abandoned his principles. He would tell the farmers of England, that whatever might be the present fate of the Bill, they had the game in their own hands. They were a large, powerful, and influential body of the people; and the opportunity was not far distant for them to speak their sentiments, if they only chose to exert themselves. His noble and gallant Friend had recommended their Lordships to pass the Bill because there must soon be a new Parliament; and if it were for protection the Bill might be got rid of, and protection be resumed. In connection with this opinion, he (the Duke of Richmond) sincerely believed that many of the greatest agitators for the repeal of the Corn Laws were now alarmed at their own work. They had no idea that free-trade principles were to be applied to every article in which they themselves dealt. When they asked for the entire repeal of the Corn Laws, they asked for more than they expected to obtain, in order that they might make better terms for themselves. The Bill, however, had not yet passed; and he hoped it never would pass as it now stood.

Lord DELAMERE begged to explain. He had never belonged to an agricultural protection society in his life. It was not in his recollection that he had ever subscribed to one. This was certainly the first time he had heard of such a fact. At all events, he never had, and never would belong to such an association.

CORN IMPORTATION BILL.

The Earl of RIPON moved, that the House do now resolve itself into Committee.

Earl STANHOPE said, he rose for the purpose of opposing the Motion, and of moving as an Amendment, that their Lordships go into Committee on the Bill that day six months. He had not the vanity to hope that any observations he could offer would materially affect their Lordships' judgment, particularly after the able and eloquent speeches which had been recently delivered upon this subject, and more especially after the admirable and unanswerable speech of his noble Friend (Lord Stanley)—a speech which, whether he looked at the eloquence that adorned it, or the valuable information it contained, appeared to him to be far superior to any speech he had ever heard delivered in that House. He was, however, unwilling to give a silent vote on this occasion; and he considered that it would be, in some degree, a dereliction of the duty which he owed to his country, if he were silent. They had now arrived at a crisis which was far more important than that of the Reform Bill, and which must prove of the highest consequence, whether they considered the magnitude of the interests that were involved in the measure, or the social as well as the political consequences that would flow from it—a measure of such a character as had never before been recommended by any Government; and he was bound to add, that no proposition, from whatever quarter it might originate, had ever before been so feebly and miserably defended by its promoters. It was in the first place assumed that there was imminent danger of a famine in Ireland, because in some districts—not in all—there was a deficiency—not a failure—in the crop of potatoes. But it was at the time satisfactorily proved, beyond the possibility of doubt, that there was then an abundance of food in the country at large, and more especially of that sort of food which formed the principal article of sustenance to the poor—that the crop of potatoes had been more than usually abundant. He did not deny—on the contrary he deeply regretted—the distress which existed in Ireland; but this arose not from a scarcity of food, but because the lower classes were plunged in a state of destitution from the want of permanent employment. They were totally destitute of employment; and undoubtedly it was the duty of the Government to take effectual measures to remedy this evil, which, so long as it was allowed to continue, there could be no hope whatever of tranquillity or prosperity in that unhappy country. It was very possible that the Government might have been deluded in the first instance by exaggerated reports on this subject, and he was willing to make every allowance fo that; but admitting, for the sake of argument, that scarcity of food was to be apprehended in Ireland, was it not to be expected that the deficiency of produce would be indicated by the increase of price of provisions? and then, by the operation of the sliding-scale, corn of all descriptions would have been admitted without the necessity of interference either by the Government or the Legislature—without creating needless alarm, which was always injurious—without raising in foreign markets the price of the very article which we were desirous to purchase—without in-

ducing those who had stores of potatoes to hoard them instead of bringing them to market for sale—without, in short, any of those mischiefs which had arisen from the late groundless panic which the Prime Minister, for reasons best known to himself, had thought proper to raise. On this false assumption of a scarcity of provisions were founded all the subsequent measures. At first it was proposed to issue an Order in Council for the free importation of foreign grain; and the great autocrat of the Cabinet proposed this measure to his Colleagues in November last as being then of urgent necessity, though the country was now in the middle of June without feeling any inconvenience from the rejection of the measure. The Prime Minister had never condescended to notice the observations which had been made by a noble Duke, that a free importation of foreign corn would be of no advantage whatever to people who had not the means of purchasing it, and that the true remedy was to be found in providing them with employment, and giving gratuitous relief to those who were incapable of labour. But supposing that the Order in Council had been issued, it was clear that it ought to have been considered only as a temporary expedient to meet a temporary emergency, and that the Corn Laws should have been suspended only for a short period, and then allowed to come into operation again as before. The Prime Minister, however, declared with the strongest *non sequitur* which he had ever heard, that he would not consent to issue such an Order in Council, unless he was allowed, when Parliament met, to bring under their consideration, what he was pleased to term, an adjustment of the Corn Laws; and by that appropriate designation it appeared he intended to indicate a measure for their entire and final surrender—a complete concession of everything which had been so long clamorously and menacingly demanded. This, then, was the ostensible origin of the measure; and in this case the old fable was reversed, for it was the mouse which was pregnant, and which had been delivered of a mountain. But what were they to say of the conduct of the Minister who had been raised to his present eminence by the confidence which the friends of protection had reposed in him; by the hope and the expectation they entertained that he would be true to his trust, and not desert the principles which he had uniformly professed? On this, as on other occasions, he should be unwilling to introduce mere personal attack; but he would quote to the House an observation of a noble Lord which was not unimportant, because they all knew how much the conduct of Members of both Houses of Parliament on both sides was influenced by the confidence that was reposed in their political leaders, and therefore he would refer to the observation of the noble Earl (Ripon). In the Amendment to the Address which was moved by the noble Earl in August, 1841, and adopted by a great majority of that House, it was stated in reference to the same subject which they were now considering, "it is essential to the satisfactory issue of our deliberations on these and other measures of public concern, that your Majesty's Government should possess the confidence of this House and of the country." Now, he would ask what man was there who any longer entertained confidence in Sir Robert Peel? They had heard from a noble and learned Lord opposite (Lord Brougham) an eloquent panegyric on the present Prime Minister, representing his conduct not only as meritorious but as magnanimous; not only as not inconsistent, but as amply justified by the circumstances in which he was placed; and that his sincerity was shown by the consideration that he had sacrificed private friendship, public confidence, party interests, nay, even personal reputation, from the deep and conscientious conviction he entertained that these measures were essential for the welfare of the country. Now admitting, for the sake of argument, the hypothesis of his noble and learned Friend, who, like a skilful advocate, had assumed the very circumstances in debate, what did it amount to? Why, to this—that the Prime Minister, by his own confession, during the long course of his political career till a very few months ago, had been proceeding upon a wrong course, and had all his lifetime continued to defend principles and measures which he now condemned as impolitic and unjust. If such was the case, what confidence could henceforward be reposed in the judgment of Sir Robert Peel? Assuming that he had made this great, and to him most surprising discovery, that protection was indefensible in principle, and injurious in operation, he ought—if he had possessed only a small and slender portion of that self-knowledge which was represented by the philosophers of antiquity as the summit of human wisdom—he ought to have resigned a post for which,

by his own confession, he was entirely incompetent; he ought to have retired, feeling pain and sorrow for the part he had so long acted, and deep concern for the mischief of which he had been the innocent because the ignorant cause; and feeling that he could no longer rely upon his own judgment, he ought no longer to have attempted to influence the opinions and convictions of others. But while on one side an attempt was made to justify the inconsistency of Sir R. Peel, he had heard from another quarter that that right hon. Baronet was guilty of no inconsistency at all—that he had always been more or less in his own mind a free trader; that his language had been intelligible to every one on this subject ever since 1842; and an appeal had been made personally to himself (Earl Stanhope) whether such was not the case. Now, undoubtedly in that, and in the following year, he (Earl Stanhope) did express with that frankness which was inseparable from his character, the suspicions he entertained with regard to those previous measures which had been thoughtlessly and foolishly defended by some, on the ground that they would give greater security to that amount of protection that yet remained; whereas, he thought they were only intended as preparatory steps to the removal of protection altogether, and intended to facilitate the execution of that event. But, at that time, when he stated his suspicions, he was rebuked by the noble Lord the President of the Council; he was assured at the time that they were unfounded; that they were equally unjust and injurious: but he must say, that they were all confirmed now. If they were to adopt, then, this other hypothesis, and to hold that there was no change of opinion in Sir Robert Peel, though there had been the greatest inconsistency in his conduct, he would then ask, what confidence would they place in his political integrity? He would not, on this occasion, quote a line from *Hansard*. Noble Lords near him might be perfectly secure from having their speeches revived on this occasion; indeed, it would be quite useless for him to do so; because, in all likelihood, he would receive the same answer which had already been given in another place: "I have changed my opinion—with this I dispose of all my former speeches and declarations"—as if the force and urgency of an argument were to be invalidated by a change in the opinion of the man who had once used it, and as if the same person, whether he blew hot on a question, or whether he blew cold, was always to be considered infallible. They had been told that this marvellous—he had almost called it this miraculous—conversion of Sir Robert Peel, was the result wholly of his experience of the last three years. He could not deny but his conduct might be very much influenced by what he had observed during the last three years of the exertions of the Anti-Corn-Law League, and by contrasting that with the inertness which, during a considerable portion of that period, was shown by their opponents; and by supposing, though most erroneously, that those who were the most noisy were also the most numerous and powerful body in the community. It had been said, that during the last three years the country had enjoyed great prosperity. He would not now inquire whether that prosperity was founded upon a solid and secure foundation, or whether it was likely to be permanent; or whether, on the other hand, it did not arise principally, if not altogether, from temporary causes, and which might be transitory in their duration. But, admitting that to be so, he would ask, what better reason could they have for not rashly changing a system which had yielded such results? The potato famine and the alarm which had been so studiously excited upon this subject, had now faded "like the baseless fabric of a vision." They were now in the same position that they were in before the question was discussed at all; and they were now called upon, on the mere *ipse dixit* of the most rash and presumptuous Minister that had ever yet governed this country, to renounce all the opinions which they had deliberately formed and frequently expressed in that House—to reverse the whole system on which this country had acted for centuries, and under which it had acquired its unparalleled prosperity. They were told, indeed, by him who was once considered a great authority, but who would now be considered as a great authority no longer—he meant, of course, the Prime Minister—that protective duties were, considered in themselves, liable to objection in principle, and that they were injurious in their operation. But if they were for a moment to admit this doctrine, he wanted to know why it was to be applied to corn alone, and not generally to all kinds of manufactures? If the principles of free trade were, as they were represented to be, the principles of common sense—if pro-

tection was, as they had been told, the bane both of agriculture and manufactures, then they had a right to be allowed to enjoy all the advantages of free trade without restriction and without delay; they had a right to demand an immediate and entire adoption, to the fullest extent, of the principles of free trade. Such, he believed, would have been the conduct and such the measures of the noble Lord in the other House of Parliament, and of a noble Earl (Earl Grey), the son of a former Prime Minister, had they been called upon to bring forward any provisions on this subject; and he would say that measures of that sort would have been far less objectionable than that which was now proposed. He would say, let us either give full and effective protection to British industry in all its various branches, or let us have no protection at all. Let those who had the hardihood to make that experiment, attempt it if they dared. He knew what the result would be. He knew that the effect would be, an immediate and sudden reaction, which would drive like chaff before the wind the advocates of free trade —which would render the very name odious to all classes in the country—and which would restore in all their force the prohibitory and protective system of their ancestors. If he had no other object than success, and were merely indifferent to the means by which it was to be attained—if he could bring himself to disregard the sacred dictates of conscience—and Heaven forbid that such should ever be the case!—if he could become insensible to the moral and religious obligation not to do evil that good might come—then he would earnestly entreat their Lordships to pass this measure without any discussion whatever; for he knew that, whatever consequences in other respects might arise from it, the cause of protection to native industry would be triumphantly and permanently secured. On this occasion, however, he would confine himself to that subject only which was before the House—the question of a free importation of corn—without entering into the more extended question of free trade, with regard to which there would be many other opportunities of discussion, and on which, with permission of the House, he might afterwards be disposed to state his opinions. And here, without entering into the argument at all, it might be sufficient for him to ask their Lordships whether it was compatible with their public duties, that they should, without examining into the possible or probable consequences of the measure that was now before them, proceed to pass a Bill which would bring ruin and desolation upon millions of their fellow countrymen, and more especially upon those whose hard lot it was to earn their daily bread by the sweat of their brow, and who had no other resource than their own industry and skill. He would go farther, and ask whether their Lordships could suppose that they had any right to pass this measure when the most numerous, the most meritorious, the most valuable classes in the community, who would be principally and permanently affected by this measure, were not, as they ought to be, represented in the House of Commons. It was said, when the measure of 1842 was introduced, that prices would range from 54*s.* to 58*s.* per quarter—that the average, therefore, would be 56*s.*, which was represented as a remunerating price. But it was stated in 1828, by a much greater authority than Sir Robert Peel could ever claim to be—by the late Mr. Canning—who was not considered in his time to be a very warm or zealous friend to agriculture, or an admirer of the aristocratic branch of the Constitution—it was represented by him as being admitted on all hands, without doubt or exception, that a remunerating price could not be secured at less than 60*s.* of the old Winchester measure, which was equivalent to 62*s.* of the present imperial measure. He would not stop to inquire which was the more correct opinion; but this he would say, that they had a right to expect full information, which was essential to the proper consideration of this measure—information upon the point, not what would be the fixed price, for this measure might effect fluctuation even under a system of free trade—but what would be the range of prices under the operation of this Bill. The Prime Minister had informed the Members of the other House of Parliament that he had formed no estimate of its effect. It was said by a noble Lord (Lord Brougham) that it was impossible to answer that question, and therefore unreasonable to ask it. Be it so: he was willing to admit that for the sake of the argument. But he would say in return that it was unreasonable to pass this Bill without such information. Were they not aware that there were two considerations essential to a proper decision of this question: first, the remunerating price of corn; and, next, the price of foreign corn, which was the article to be

imported? For if they were not to be informed of the probable range of prices—if they were not to have full, real, satisfactory, and decisive evidence on the point—it would be sufficient for them to refuse to proceed further, because, if they did proceed, they would be legislating in the dark, and might inflict incalculable injury on the most vital interests of the country. But so far were from knowing what the probable range of prices would be, that the very friends of the measure were not agreed as to the result in general—whether the prices would remain the same as they were at present, or whether they would fall; or even whether they would be raised; for strange, extravagant, and irrational as such a doctrine might appear, it was a fact that a great landed proprietor said, in the course of last winter, that as soon as this measure passed, he must inform his tenants that he would raise their rents ten per cent. If it should have the effect of raising the prices of food, it would have an effect the very reverse of that which its principal and oldest supporters anticipated. Such a result would be by them considered most mischievous; and, in point of fact, if increased price of food would follow the adoption of the Bill, he defied the most ingenious casuist to show its utility. Why, the whole cry of the opponents of the present Corn Laws was—cheap bread—a cheap loaf; they promised a large loaf with the repeal—they attracted numbers who did not stop to think, by this cry; but he thought their big loaf would, in the end, be found to resemble much more nearly a penny roll. These people who clamoured so much about cheapness, were ignorant, or what was worse, affected to be ignorant, that cheapness was altogether a relative term, and that, in fact, it was proportional to the means of the consumer. Great apprehension had been expressed by a noble Lord, that the price of corn would not, even with the repeal of the Corn Laws, fall much. That noble Lord was apprehensive the fall would not much exceed 5*s.* or 6*s.* a quarter. He seemed to regard a fall of 5*s.* or 6*s.* a quarter with great indifference—a mere trifle in fact: but had that noble Lord ever made a calculation of how much a fall of even 5*s.* or 6*s.* a quarter would affect the nation. Did he calculate that there was a home production of 18,000,000 of quarters, and that a loss of 6*s.* a quarter would amount in the aggregate to 5,400,000*l.*? His noble Friend near him (Lord Stanley) had, confining his calculations to wheat alone, shown a clear loss of 4,000,000*l.* sterling. And who was to gain by this loss? There was not the least intimation from any quarter that the agricultural labourer would be benefited by this plunder of the owners and occupiers of the land. When their Lordships talked about cheapness, let them recollect that the avowed object of those who originated the agitation was to lower wages. ["Hear, hear!"] The noble Lord opposite (the Earl of Radnor) shook his head; but if he were disposed to trouble them with long quotations, he could show from the speeches of several who thought with the noble Lord on this question, as well indeed as from the speeches of the noble Lord himself, that one of the staple arguments in favour of a repeal of the Corn Laws, was, that by cheapening food wages would be lowered, and by lowering wages the manufacturers of this country would be enabled to compete with the manufacturers of the Continent, who, it was said, were able to undersell our manufacturers at present, in consequence of the low wages they paid. But the thing was evident. If, as was said, foreign manufacturers were underselling the English ones in the markets of the world, how could the English manufacturers hope to cope with them except by lowering the wages of labour? Either the wages of the operative must be lowered as a consequence of this Bill, or the argument so obstinately and so triumphantly put forward must fall to the ground. He thought they had the greatest reason to complain of the manner in which the advocates of this measure both in and out of Parliament dealt with this question. They blew hot and cold upon this question of cheapness. First, they said a repeal of the Corn Laws would produce cheap food; and then when the agriculturists contended that to depreciate the value of their produce very much would be to bring ruin first on them and then on the community at large, these same men turned round and said, "Oh, the measure will not in any material degree lower the price of corn." In short, they used arguments totally irreconcilable to and inconsistent with each other. He thought no conduct could be more unfair or discreditable than this in any public man; but how much more so in the First Minister of the Crown. The Premier had actually set forth that cheapness was not a necessary result of the measure; and he introduced statements relative to the prices of wheat, to show that the measure might, in fact,

tend to elevate the cost of that commodity. The Prime Minister incurred the disgrace not only of adopting the arguments, but of copying the tergiversation of the Anti-Corn-Law-League. The League made a great cry about monopoly; and it was the cant word in the mouths of their agents and lecturers in the manufacturing districts: they magnanimously proclaimed that their object was to reduce the price of bread; and they shed their crocodile tears over the "fallen condition" of the agricultural labourer. Such were the claptraps of the League; and these claptraps had found their way even into their Lordships' House. But when their agents went into the agricultural districts, they represented that the repeal of the Corn Laws would not materially reduce the price of corn; they urged the advantage of a steadiness of price, and they quoted some instances of extreme lowness of price in the home market, the result of harvests of extraordinary abundance, and then they turned to one or two isolated instances where foreign corn had been imported at a greater cost than usual, endeavouring to show, that whilst the repeal would prevent fluctuations, it would not severely act upon the home grower. Arguments based on such imperfect or erroneous data had their due weight in Covent-garden Theatre, because there was no freedom of discussion allowed, and because if any one ventured to express a different opinion, he would be instantly turned out of the room; but with their Lordships he believed they would have but little weight. It was averaged that each individual in the country consumed a quarter of corn; and it was said, would it not make a great difference to the individual if the price of that quarter was reduced 10 per cent? Yes, that argument did very well *per se;* but suppose that by throwing land out of cultivation it injured the ability of the consumer to purchase, whence was the advantage to him? and that was just the argument for the validity of which he (Earl Stanhope) contended. A noble Lord who was connected with the county of Chester (Viscount Combermere) said, this was a landlord's question. But did not the noble Lord recollect that the great agricultural movement which commenced in 1843 originated with the tenant-farmers? The landlords did not bring them into the field, but they brought in the landlords. He would not attempt to weaken the forcible observation of the noble Duke on the cross benches (the Duke of Richmond) who had well and wisely said, that the tenant had a greater interest in the matter than the landlord—for the landlord's share was but one quarter, whilst the tenant's was three; and again, that if the rent of the landlord was altogether swept away, the quartern loaf would not be diminished in price more than three farthings. These observations were founded upon truth, as any of their Lordships who were acquainted with the subject would at once perceive. Taking the average produce of our arable land at 28*s.* per acre, and taking the remunerating price to be as Mr. Canning had stated it, 62*s.* per quarter—a permanent reduction of 10*s.* per quarter would be most injurious, if not altogether fatal, to the interests of landlord and tenant; but in his (Earl Stanhope's) opinion, the reduction caused by the Bill before them would not be less than 20*s.* per quarter. A noble Lord, whose speech he had listened to with great attention, had stated that taxation and the wages of labour were the great elements of price, and that as both were higher in this country than on the Continent, the price of articles similar to theirs, must be higher here than there. But Sir Robert Peel went further, and said that a large debt and heavy taxation seemed, in his opinion, to justify and require cheapness of prices. Nothing could be more absurd. It was contradicted by the universal experience of all ages and of all countries. Nay, the very reverse was the case. He challenged any man to produce an instance of any country in which wages and prices were uniformerly low, in which even the most despotic monarchs had been able to raise a large amount of taxation. He did not deny that it was possible to reduce the price of corn; but that could only be done by reducing the amount of taxation to such a degree as to prevent the possibility of maintaining their obligations to the public creditor. They had been told a great deal about the beneficial effects flowing from the application of capital and skill, and were assured that by an improved system of cultivation, by increased habits of industry, and by the expenditure of more money, the English farmer would overcome all the dangers which surrounded him. The agriculturist had been told that he could and ought to grow five quarters of corn where but three were now raised; but he thought such a recommendation came with a very bad grace from those men who, when the agriculturists were in distress,

coldly assured them that misfortune arose from superabundance of protection. He denied altogether the false and scandalous imputation, that the English farmers were deficient in either skill, perseverance, or industry. In this country, the farmers, as compared with the growers elsewhere, had all the disadvantages of climate and soil to contend with, yet they produced a greater quantity of grain from the same area than any foreigner, even greater than the Hollander, whose industry and perseverance were objects of general admiration. But where was the inducement for the farmer to increase his exertions, to invest his money, or to exercise his skill? Surely it was not by taking from him all hope of obtaining a remunerating price for his corn—by exposing him to open competition with his continental neighbours, who had all the advantages of cheap labour and a low amount of taxation. But even suppose the farmer were to increase his produce, was it not perfectly clear he would be the loser, unless he increased it in proportion to the falling off in price which the measure would occasion? The advantage of the farmer did not merely consist in having abundant crops, but in having a good and a ready market, and a fair remunerating price. But there was one other consideration connected with this measure which he wished to impress in a particular manner on their Lordships, and which he thought ought to be regarded as a decisive objection to it. What would be the fate of the small occupiers of land both in Great Britain and in Ireland—he meant of those who cultivated small farms? It must be admitted, upon all hands, that this was a most valuable, a most important, a most meritorious class. They were eminently distinguished by their conduct and by their character, by social and public virtue. They occupied an intermediate position between the labourers and the large farmers. There could be no doubt, if this measure became a law, that these poor men must be replaced by others. Gracious Heaven! was that the system on which they meant to act? Was it really their Lordships' determination to drive from their homes—to consign to destitution and despair—millions of their deserving fellow countrymen in Great Britain and in Ireland? If such was their intention, let it be generally known, so that these poor people might be really apprised of their danger. And again, what would become of the retail dealers throughout the country—what would become of the shopkeeper in the rural districts, whose best and almost only customer was the class which this Bill would destroy? And would not the destruction of these classes react with terrible effect on the manufacturer, who would not be able to sell his goods in the home market, because the scheme which he had originated and blindly urged on had destroyed his former customers? The noble Earl who brought forward the measure (the Earl of Ripon) asked what land would be thrown out of cultivation, whether any and what land would be so thrown out? A little reflection would have enabled the noble Lord himself to have resolved both questions. Much of the land was of poor soil, or land which was not so had in many cases poor tenants; now, the occupiers of these two species of land constituted a great bulk of the agricultural community; and would not the measure be hurtful to both? The one required, from the nature of the soil, an increased expenditure; the other, by reason of their poverty, could not subsist without adequate remuneration. He thought the misfortunes which had occurred in 1830 and in 1842 were nothing as compared to those which the present measure would entail. He was aware that many who voted for this measure both in this and in the other House of Parliament, alleged as a reason for so doing, that it was inevitable. These men were convinced that it would be prejudicial and destructive in the highest degree to the interest of this country; but yet, strange to say, they would vote for the measure on the ground of its necessity. That was like arguing that, because death was inevitable, they ought to commit suicide. He had no hesitation in saying, that such motives were base and servile, and unworthy of legislators. Every body must lament the wreck of public character and public confidence which had occurred on this question. A great political crime had been committed; and those who had committed it urged in justification of themselves, that it was impossible to prevent its consummation. It was said by the right hon. Gentleman by whose counsels this country had the great misfortune to be governed—a misfortune with which he had reason to believe and hope it would not be afflicted many days longer—that it was desirable to terminate the present conflict. So ignorant was that right hon. Gentleman of the signs of the times, or what he might have read in his-

tory, that he knew not that the effect of this unwise, unjust, and unnecessary concession would be to render the conflict fiercer and more formidable than ever. They would see drawn out in array all the productive classes of the country, whatever branch of industry they were engaged in, whether manufactures or agriculture, and they would form a formidable and, as the result would prove, an invincible phalanx. One noble Lord opposite seemed to exult greatly at the prospect of the ease and tranquillity he should enjoy at finding what he supposed to be the end of the agitation. In his (Earl Stanhope's) opinion, it was but the commencement. When the pressure began to be felt, then would the din of war be heard. Was the noble Lord so prejudiced as to suppose that the productive classes of this country would be plundered without a determined and resolute resistance—a resistance not violent, not by force of arms, but that passive resistance which ultimately no Government, hopever powerful, could overcome? Talk of this being an end to the question! Undoubtedly they could no longer have an Anti-Corn-Law League, but the same machinery would be employed. The same means, the same exertions would be directed to other and different objects, and with the same success. It had been avowed by that League that they had ulterior objects; and a principal member of that body, who also was in these enlightened times a Member of the House of Commons, had stated that his object was to level with the dust the aristocracy of England. He said then, if they made this base, this unworthy, and unwarrantable concession to clamour, the same agitation would be continued and increased for the attainment of those ulterior objects. At the time of the Reform Bill the noble Duke near him (the Duke of Wellington) asked "how the Government was to be carried on?" Now he (Earl Stanhope) thought the noble Duke might have received an answer from one of his own Colleagues. To answer that question, it was only necessary for him to watch attentively the conduct pursued by the right hon. Baronet at the head of the Government. "How was the Government to be conducted?" How had it been conducted? Why, by basely, meanly, and pusillanimously crouching to the party who appeared to be the stronger, and by trampling upon those who appeared to be the weaker. If such had been the conduct pursued by that illustrious and immortal Minister, Mr. Pitt, who was truly described as the "pilot who weathered the storm," this country would have had, could have had, no other fate than that of becoming either a republic, or a province of the French Empire—such was the premium offered to agitation; such the encouraged by the Minister of the day to that organized agitation which existed in Ireland as well as in this country. As far as Ireland was concerned, he believed that being essentially agricultural, and depending on the English market for the sale of its produce, the effect of the Bill under consideration must, at no distant period, be the Repeal of the Union. There was not an Irish farmer—nay, a common cottier, who held the smallest quantity of land, who could not feel that the Repeal of the Union, whatever else might be the evils attending upon it, though it involved tho spoliation of the Protestant Church Establishment itself, and the accomplishment of the wildest projects of the great agitator, would still have this advantage, that an independent Irish Parliament would grant effectual protection to Irish industry. It was that that had induced the great agitator of Ireland to give his support to this measure; he was perfectly well aware that it would promote more effectually and speedily the object he had always had in view—the Repeal of the Union. With respect to Canada being favourable to this measure, he could refer their Lordships to the recent intelligence from that country, to the Address to Her Majesty from the Legislative Assembly, as well as to the excellent and instructive letters written by Mr. Buchanan, which could not be perused without feeling a deep conviction of their truth, in contradiction of that statement. But whatever were the objections to this Bill, according to the doctrine which had recently been maintained, that House was bound to pass it, because it had been proposed by the Ministers of the Crown, and approved by the House of Commons. Such an unconstitutional doctrine as that had never to his knowledge been proclaimed within the walls of either House of Parliament. Admit such a doctrine as that, and the independence of the House of Lords was at an end, its constitutional functions were destroyed! It would become and would be considered by the country as of no utility whatever. Nay, more, it would not only be regarded as useless, but as positively injurious to the best interests of

the country. There would then arise, throughout the length and breath of the land, a general cry for the abolition of the House; and when the aristocratical branch of the Legislature was once destroyed, they might depend upon it that the monarchical branch would soon follow! Before they decided on the passing of this Bill into a law, he conjured their Lordships to weigh well the opinion which the country would naturally and justly form of this House. It appeared that conversions to the Ministerial scheme were not limited to one side of the House; for the Noble Viscount opposite (Viscount Melbourne) gave a vote a few nights ago in favour of a measure which he himself, when he held the reins of power, represented as one of the wildest and maddest which the mind of man had ever conceived. In 1842, only five Members of their Lordships' House pronounced an opinion in favour of this measure; but now, in 1846, without any new facts and arguments being adduced, and without any change of circumstances, no less than 211 Peers had voted for the second reading of it. What opinion could be formed of such conduct, and what fate would their Lordships deserve and receive, when, having been weighed in the balance, they were found wanting? The step they had already taken, fortunately, was not the last, and it was yet within their power to save themselves from indelible disgrace, and their country from utter destruction. But if it persevered in the course it took on the second reading of the Bill, the vote it then gave would be the death-warrant of that House, and the time was not far distant when the country with a voice of thunder would demand the execution of that warrant. It had been said, that public opinion had changed upon this subject. But how had that been proved? Why in every instance in which the country had had an opportunity of expressing its opinion upon the question at elections that had recently taken place, it had been in opposition to this Bill. Let it not be supposed that the great principle of protection was not approved of by the majority of their Lordships. Those who thought so were entirely mistaken. He believed, that if they were to vote by ballot on that measure, the protection party would carry their opinions in both Houses by an immense majority. If it were possible to take the opinions of the House of Commons in that way, the great majority—voting by ballot—would decide in favour of the principle of protection; and he was informed by those who were competent judges on the subject, that if their Lordships were tried by a similar test, that not twenty Peers would be found giving their vote in favour of the measure. The Prime Minister of the country had spent ten years in creating a party, on the principle of protection, which in ten days he had shivered into fragments, and scattered to the winds. Another party had now been created, whose existence would be enduring, as their principles were built upon a rock that could not be shaken by the waves. In the course of a few weeks, without any previous preparation or organization of purpose, 240 enlightened, intelligent, and patriotic Members of Parliament had united together upon the bond of public principle—and who had the advantage of having a noble Lord as their leader, whose public support and superior talents did honour to the party with which he was connected, and to whom, although he had not the pleasure of being personally known, he was anxious to tender his homage and respect. Let it always be recollected, he said, that if their Lordships wished to preserve their political existence—if they wished to preserve that which constituted political power, which, when once lost they could never regain—he meant the confidence of the people—unless they could contemplate without dismay the discredit that must necessarily arise from the measure as a whole, it was their duty to resist it unless they were willing to dismember the Empire, and bring down an irremediable destruction upon the country, and ultimately consent to the destruction of the monarchy itself. He would therefore move, as an Amendment, that their Lordships should go into Committee that day six months.

The Earl of ESSEX said, that the noble Lord had argued as if the produce of this country was sufficient to meet the demand, and he would inquire if such was the case. How was it that they at present imported so large a quantity of foreign grain into this country? It was perfectly clear, that the home supply was inadequate to meet the demand; and he contended that, if grain could be procured at a cheaper rate, the demand would be considerably increased. In reference to what had fallen from the noble Earl on the subject of those who had changed their opinions on the question, he repudiated the

imputation that they had been actuated by sordid or servile motives; and declared that, so far as he was concerned, if the opinions of their Lordships should be taken by means of the ballot—he declared, in the presence of his God, that, if there should be only twenty Peers found voting in favour of the measure, he would be one of that twenty.

The EARL of STANHOPE explained, and denied having used the term "sordid." He did not attribute such motives to the noble Earl, as he could not know his thoughts; but when he found such a number of persons in both Houses of Parliament expressing their opinions against the principle of the Bill, and yet voting for it, he could not but think that their conduct was somewhat servile.

The EARL of RADNOR said, that he hoped to produce such arguments as would induce the House to pass this Bill without alteration. As to the apprehensions of the noble Earl, he did not lay such stress upon them as he would have done if he had not heard the noble Earl in former years make similar prophecies, which had not been fulfilled. For himself he had nothing to explain, for he had uniformly supported similar measures; but he could find other motives than baseness and servility for those who had altered their opinions. Neither was it his duty to say anything in support of Sir Robert Peel, who had friends enough in that House to defend him; but the insinuations against the right hon. Baronet were unfounded, for what motive could he have had in proposing this measure, and making great sacrifices for it, except the most honourable? But when a charge was made against an hon. Friend of his (Mr. Bright) for what he might have said at Covent-garden, he thought that, with the provocation given, persons might have used expressions which could not in cooler moments be justified. As an example of the abuse used against his friends, he might refer to a report in *The Times* of a meeting in Dorsetshire, in which it was said that Mr. Cobden "was properly called the Devil, for he was the father of lies." And the expression of his hon. Friend as to putting an end to the domination of the hereditary peerage, and overwhelming it in the dust, alluded only to the domination with which the aristocracy was standing up for the Corn Law, which he (the Earl of Radnor) maintained was most unjust. But then it was said that agitation would continue: he must say this was not the first time agitation had prevailed; it had prevailed on other occasions; but no agitation would ever prevail unless the good sense of the people went along with the object. If the Government did not adopt measures which were called for by common sense, reason, and the general voice of the country, the people must either obtain them by agitation, or they must do without them. That was the case with respect to Catholic Emancipation, and that was the case with respect to this Bill; and, if the League should continue agitation for an improper purpose, it would no more prevail than agitation now prevailed for the Repeal of the Union. Next, it was said that the Bill was founded on theory, and in practice could not be successful; but theory was only tested by practice, and if practice did not prove it to be good, the theory was bad; theory was only the rationale of prictice. He said, then, that those who supported the protectionists were the wildest theorists. For thirty years they had in theory promised to benefit the farmers, and yet in practice they had never done so. The practice had proved that their theory was bad: they had been carried away by the word "protection," and nothing else. In fact, the sliding-scale men were the wildest theorists that had ever been seen in England; while the principles of free trade, wherever they had been tried, had been found perfectly successful in practice. The noble Duke (the Duke of Cleveland) had dwelt upon the effect of this measure on the small tenantry; and he had told the House that he had on one of his estates tenants of that class whose families had been on the land for 450 years, and he had asked why he should be obliged to turn them off the land; but it struck him (the Earl of Radnor) that these small tenants, whose ancestors were serfs to the ancestors of the noble Duke, had not thriven much under a system of protection, for they were probably at present little better off than the serfs their ancestors. Then he did not see why the noble Duke should turn them off the land in consequence of this measure. If the country generally was benefited by it, these persons would be sharers in the common good. At any rate the noble Duke had no right to wish to be charitable to them at the expense of the people of England. It was said that we could not contend, if this Bill passed, with the low wages and low food of the Poles; but if so,

how was it that we had competed successfully against the low wages and low living of Ireland? He had never heard that question answered, or any explanation how it was that we could not compete with a country thirteen days' sail from us, when we competed successfully with a country thirteen hours' sail from us, in precisely similar circumstances of fertility, cheapness of labour, and lowness of food. Appeals had been made to the antiquity of the Corn Laws; and their Lordships had been warned to adhere to the wisdom of their ancestors with respect to them. Now it was true that this country had had Corn Laws since the reign of King John; but every one of these laws, with the exception of one, the 3rd Edward IV., cap. 2, which the noble Lord (Lord Stanley) referred to in the late debate, up to the period when the landed interest obtained greater power in Parliament, had been laws not for protection, but for providing food for the people. That Act, the 3rd Edward IV., cap. 2, prohibited the importation of corn up to a certain price; but if the noble Lord had looked a little further, he would have found that chapter 4, of the same year, also prohibited the importation of all articles of manufacture whatever from abroad. This country was to have no communication with foreign countries for the supply of its wants; it was to be self-dependent: was the noble Lord prepared to go that length? The noble Earl then quoted, from the *Paston Letters* some expressions in a letter (written about the same period) of Dame Margaret Paston to her son Sir John, stating that malt was very dear, and wheat was 8*s.* 8*d.* a quarter, and that the king had prohibited the exportation of wheat, and ending with the remark, "I fear we shall have a right strange world," for the purpose of showing that exportation was forbidden as well as importation; and then went through the titles of various statutes up to the reign of Charles II., to show that all the legislation up to that period on this subject had been, not for protection, but with a view of providing food for the people. When the landed interest got the upper hand in Parliament, a new system was introduced, and the idea of protection began to be acted on. An Act was passed in the 12th year of the reign of Charles II., imposing duties on the importation of corn, and another in the 15th year, by which those duties were increased. At that time it was confessed without scruple that the object of these Acts was to keep up the rent of land. This was not so openly confessed at present; but there could be little doubt that protection was desired for that purpose. Then came the system of bounties upon exportation in the reign of William and Mary, by which the gross injustice was perpetrated, that not only was the price of food raised, but a tax was laid upon the people for the advantage of the owners of land. Under this system, exportation, of course, took place to a large extent. Between six and seven millions of money was paid in the shape of bounties, and upwards of 2,000,000 quarters of wheat exported. Owing, he presumed, to the increase in the population, in 1750 exportation began to decrease, and from that period it went on constantly diminishing until we became an importing country, and as such we had gone gradually increasing up to the present time. One would imagine, to hear the arguments on the other side of the House, that the natural state was a state of restriction, and that commercial freedom was a mere experiment, whereas it was just the very reverse of this. The Corn Laws were an experiment, and the natural state was a state of freedom. It was Paine, he believed, who, in one of his publications, speaking of the plan of a sinking fund for paying the national debt, said it was like a man with a wooden leg running after a hare—the faster he ran, the wider they were apart. And so it was with protection—the more they increased protection, the further were they from benefiting agriculture. It was said the present measure would benefit merely the manufacturing interest. He denied this, and thought it would benefit both the agricultural and manufacturing interest; but he maintained, that even if it were true that the manufacturing interest alone would be benefited by it, the landed interest ought to give it their best support. In the first place, he would remark that it was said on the other side that the landed interest was by far the largest and most important in the country. He denied that it was so, and appealed to the Population Returns in proof of his assertion.

The DUKE of RICHMOND said, that the Population Returns were not true.

The EARL of RANDOR replied, that the Returns were prepared with great care, and that he had no doubt of their perfect accuracy.

The DUKE of RICHMOND said, that

what he meant was, that in the last Population Returns every man was returned as a manufacturer who belonged to any trade or handicraft, though supported by the agriculturists; for instance, every tradesman in a country village was put down as a manufacturer.

The EARL of RADNOR repeated his belief in the perfect accuracy of the Returns, and proceeded to say, that in 1811 it appeared that the agriculturists amounted to 35 per cent of the population; in 1821 they were only 33 per cent; in 1831 they were reduced to 28 per cent; and in 1841 they were still further diminished to 22 per cent. Had the agricultural population in 1841 borne the same proportion to the other classes of the population as they did in 1811, they would have consisted of 2,445,500 more persons than at present. The consequence would have been, that the agricultural interest would have had so many more persons to support; and, as these would generally have been of the poorer sort of persons, an additional poor rate of nearly 1,000,000*l.* would necessarily have been thrown upon the agriculturists. From this additional payment, however, they had been relieved by the diminution of the agricultural population. The noble Earl also entered into calculations to show, that from the same cause the agricultural interest had been relieved of 6,500,000*l.* of other taxes, which would have fallen upon them had they continued to bear the same proportion to the other classes of the population in 1841 as they did in 1811. He said, therefore, that even if there was no reason in the justice of the case why the Corn Laws ought to be taken off the landed interest, they ought to do any thing rather than injure the manufacturer. But he maintained, that on the ground of justice alone, the measure ought to be supported. When the Canada Corn Bill was before that House, he (the Earl of Radnor) opposed it, because it was a departure from the principles of free trade; and he felt, what had since come to pass, that it would create interests which at a future time would be used against the principle of free trade. Wherever free trade had been really carried out, it had been successful, more particularly in the case of the shipping interest, woollens, and silks. The noble Lord (Lord Stanley) had argued that there had been a falling off in the Baltic timber trade, but that had been amply made up by the greater increase in the general shipping trade. From 1842 to 1845 the increase had been from 563,000 tons to 1,114,000 tons. The same results had followed with regard to the articles of the Tariff, on which reductions had been made. The principles of free trade were no longer an experiment; they had been tried for nearly five years in this country, and with the greatest success. He was prepared to support the measure throughout.

The EARL of WICKLOW was rather surprised that up to this time no one connected with Ireland had risen to address the House on the question under consideration. The sentiments which he entertained on this subject were different from those held by those with whom he was generally accustomed to vote, and therefore he thought it incumbent on him to make a few observations. He believed the head of the Government had brought forward this measure from no other motive than that of promoting the public good; but he (the Earl of Wicklow) was persuaded that no advantage that could arise from the passing of the measure could recompense the country for the loss of character which public men would sustain by it. He did not envy that man his constitution of mind who, having for thirty years consistently pursued one course of policy with regard to a measure of this kind, could afterwards turn round and declare that the very measure which during that period he had been opposing with all his vigour and ability, was now necessary for the public welfare. It was impossible the great Conservative party in this country could a second time pardon an act of this kind. On one occasion they had done so with much difficulty; but the guilt of turning round and deserting those who were his followers, appeared to him (the Earl of Wicklow) to be an act which it was impossible to forgive. It was with deep regret he said this, because on account of this circumstance he believed the administration of the existing Government was at an end altogether. The betrayal of confidence was not confined to the Minister; it extended to those who had deserted their principles without affording their constituents an opportunity of saying whether they approved or disapproved of their conduct. The hour of retribution, however, was not far distant; and many of those Gentlemen who had deserted their principles would soon have an opportunity of pondering in retirement on the course they had pursued as public men. There was another point growing out of this mat-

ter. If any Peers had left proxies with the Government, in the belief that they intended to act on the principle of protection, and if these parties had not had means of communicating their wishes on this measure—he did not know that there were any noble Lords in this situation, there might be—and if their proxies were given for it, those Peers would have been betrayed. He was not aware of any such proxies having been brought forward; but he knew that the name of the noble Lord the Governor of Canada had been removed from the proxy list, in consequence of the opinions which he had given in public. On the subject of protection, he (the Earl of Wicklow) differed from most of his noble Friends with whom he voted. He conceived that protection to British industry was not necessary, because our manufacturing industry had been brought to such a state of perfection that it could compete with all the world. And he also believed that there was no country in the world in which agriculture was carried to greater perfection than in England. He thought all the industrious classes of this country capable of competing with all the world; and therefore it was the duty of the Government of this country to support the principle of free trade. But he thought their Lordships and the Government of the country would find very great difficulty in persuading other nations to follow our example. There were two things which appeared to him to be absolutely necessary to enable this country to adopt the principles of free trade. One of these was within our own power and scope—he meant perfect justice and impartiality in the mode in which free-trade principles were carried out; and the other was reciprocity on the part of foreign countries. It was for the want of these qualities in this particular Bill that he objected to it. It was not because it did not contain the principle of free trade, but because it did not carry out that principle justly and fairly. If the farmers of this country were to have to compete with foreigners, what right had the Government to deprive them of those advantages with regard to the necessaries of life generally, which in the article of bread was conceded to all other consumers? Why should the farmers of this country pay a high price for their tea, coffee and sugar? This was an injustice that would act most oppressively upon them. As long as the Legislature continued to tax those articles which were so necessary for the consumption of the people, they had no right to say to them "you shall compete with foreign nations with regard to your agriculture." On these grounds he thought some amendments ought to be made in this Bill. So long as the Government derived a revenue from their Customs, that revenue would act as a protection; and the same degree of protection should, by right and justice, be extended to the farming interests of this country. But there was another object to be attained, which it appeared to him was indispensable for carrying out the principles of free trade. He might be sneered at by the political economists for saying it; but he thought it absolutely necessary that there should be a reciprocity with other nations. We were told that that would follow as a matter of course; that if we adopted just principles, other nations would find it to be their interest to tread in our steps. He believed the direct contrary would be the case. If the object of this country was to get Europe and America to adopt free-trade principles, the proper course would be not to abandon protection until they agreed to adopt the principles of free trade; if this country did otherwise, the whole advantage arising from free trade would be pocketed by foreign countries. If the Customs duties were reduced, the increased consumption might be productive of an increased revenue; but if the duties were taken off altogether, something else should be substituted for them. Other countries, by keeping up their duties, or by putting on as much as we took off, would keep themselves in the same relative position in which they were previously, and the advantage of the reductions made by us would be exclusively enjoyed by them. It was quite clear that under such a system the people of England would have to pay a heavy income tax to support the revenue of foreign countries. Was that a state of things which the farmers of this country ought to tolerate? He was aware that there were various reasons which induced noble Lords to vote for this Bill; but it was the first time in his long Parliamentary experience that he had seen two parties voting for a measure of which they entirely disapproved. Men must be party men; but he defied any one to show him from the history of this country, any transaction like this. Last year, the whole of the Whigs and Conservatives were protectionists, and they only differed as to the mode of carrying out their views. The noble Marquess opposite (the

Marquess of Lansdowne) shook his head; but he was then a thorough protectionist, so far as a fixed duty was concerned.

The MARQUESS of LANSDOWNE: For the purpose of revenue.

The EARL of WICKLOW: The noble Marquess was for an 8*s.* duty. Was that for revenue, or for protection?

The MARQUESS of LANSDOWNE: Both.

The EARL of WICKLOW recollected the noble Marquess saying he was in favour of the 8*s.* duty as a protection to agriculture. But if this measure was so desirable, why was the country to be deprived of this great benefit for three years? No Member of Her Majesty's Government had attempted to answer that question; but he should offer some conjecture upon it himself. In November last a very odd transaction occurred. The Government went out of office, and returned again without giving any explanation to the country. When questions were put in the early part of the Session, promises of explanation when the proper time arrived were made; but the time arrived, and explanations were not forthcoming. The three years' probation appeared to him to be thrown in as a sort of sop, to tranquillize the minds of the timid persons whose support would be of advantage to it. The principal grounds for the Bill, as alleged by the Government, were, that it would serve as an effectual remedy for the apprehended potato famine in Ireland. But the statements put forth with respect to that calamity were very much exaggerated. The Government no doubt felt that there were abundant causes for alarm, for they sent people to Ireland to ascertain the extent of the evil; and those persons furnished reports which were the ridicule of the entire Irish peasantry, so absurd were their recommendations and suggestions; but notwithstanding the Government thought it the most opportune time to bring forward the measure. The measure might have remedied the evil, if it existed to the extent stated, by its coming into instant operation; but when three years' probation were proposed, the entire argument fell to the ground, because the evil that was sought to be remedied could not be cured by a measure that was not to come into operation for three years. With regard to the potato disease, he was happy to state that the Government had been completely and entirely met. He was sure that Government would now admit it; for the burden of their song had been, "Wait till the end of May or the month of June, and you will find that Ireland will be in an alarming state of destitution in consequence of the failure in the potato crop." Those periods had arrived; and as their predictions had not been verified, he hoped they would for the future forego the argument that the alarming state of Ireland was a sufficient reason for the sudden abrogation of protection. He confessed that his alarm at the withdrawal of protection was not merely on account of this country, but also on account of the Colonies. He believed the arguments adduced by the noble Earl at the Table (Earl Stanhope) was quite conclusive on this subject, that there were only two ways in which the Colonies could be useful to the mother country. Mr. Burke, whose authority it was rather out of fashion to quote, had said there were but two ways by which the Colonies could be useful to the mother country—either by taxation, or by a monopoly of their commerce. By the monopoly of commerce it had been laid down that benefit could be derived from the Colonies; but how could the Colonies, Canada for instance, be of service to the mother country, if neither of the principles of taxation or monopoly were to be exercised? They might be expensive, and it was probable they might be the cause of involving the mother country in a war; but of what service could they be in return, if they were told that they should have no protection for their commerce, while they were expected to give the monopoly of their trade. He had been credibly informed that the United States were now able to compete successfully with Manchester. Now, if that were the case, how would it fare with Canada and the other Colonies? What would become of the shipping trade? What would become of their seamen? The noble Lord opposite (Earl Grey) had said that the Colonies, though labouring under the disadvantages entailed upon them by the withdrawal of protection, would be satisfied with the proud consciousness that they belonged to England, and that that boast would be held a sufficient equivalent for the loss they might sustain. He believed that no such feeling existed among the colonists; for however attached the weak ones might be, others better able to protect themselves would feel greater pride in being independent; and, thinking the mother country no longer of advantage, would perceive that their best course would be to make themselves altogether independent of her. He

might be an erroneous prophet, and he sincerely hoped that the sequel might prove it; but he could not help expressing his opinion that, should this measure pass into law, before the expiration of five years, Canada would no longer be a dependence of the British Empire. But the question had to be viewed in another of its bearings. Upon a previous occasion, when the Bill was passing through some of its stages in the other House, an hon. Member in opposition put a question to the right hon. Baronet at the head of the Government, "What do you intend to do with the tithe-rent charge?" And the reply was, "I don't mean to make any alteration, because I don't expect any diminution of price." He would pass by the question of the absurdity of expecting that benefit could be derived, where there would be no diminution of price; for upon a fall in price the entire argument depended. But he would pass on to another observation made by the right hon. Baronet on the occasion of the second reading of the Bill, which had forcibly struck him. The right hon. Baronet said that he would admit the measure might press heavily upon those who might have their estates burdened, but that the great benefit to the country generally would be more than a counterbalance. Now, he would inquire how those landed proprietors who had their estates burdened could be injured, if there were not to be any diminution of prices? He mentioned those things to show the contradictory nature of the arguments adduced by the supporters of the Bill, and in proof of the ignorance that existed among statesmen who undertook to legislate in matters of this kind. He implored their Lordships to pause before they came to any hasty determination upon a matter of such immense importance. Let them remember that although the Bill had received a second reading, such sanction was not conclusive. The present question was not to be put in comparison with the Catholic Emancipation Act of 1829. It was true that noble Lords changed their opinions very suddenly then, but they were justified in so doing; for not only had they before their eyes—though that might not have influenced them then, as he regretted to say it seemed to do now—a sudden change of opinion in the Government of the day; but the more powerful argument that the House of Commons had in successive Parliaments sanctioned the measure. But how stood the case now? Was there ever a measure of so important a character as the present carried the first time that it was proposed? It was an erroneous idea that the country approved of the measure and required its enactment. There was no such expectation in the country generally; and he hoped the House would not quietly surrender its judgment because a few clamorous agitators made a noise. The people of the country were tranquil, because they confided in the wisdom of their Lordships' decisions. Let them not be disappointed. They looked to their Lordships for protection, and appealed to them whether, because the League were clamorous, and many of them possessing great powers of debate, that they alone constituted the people of the country. They were no such thing; and he hoped the House would adopt such an amendment as would serve to defeat the measure, at least for the present Session. He was convinced that the Government which was to succeed the present—and he supposed in a short time—would raise itself in the estimation of the country, and obtain the attachment of the people by a compromise, which would be satisfactory to all parties. The Leaguers might be a little clamorous at first; but he would put it to the noble Lord himself (Lord Radnor), whether, six months ago, he would not have been delighted to have got a Bill with a small fixed duty? The noble Lord concluded by expressing his intention, when in Committee, to propose a fixed duty of *5s.* as one likely to conciliate all parties.

Lord LYTTELTON, with their Lordships' permission, was anxious to address some observations on the subject before the House, so far as regarded their colonial possessions. His noble Friend the President of the Board of Trade had adverted to this branch of the question, and he (Lord Lyttelton) owed an apology to the House for again referring to it; but representing, as he did, the Colonial Department in that House, he felt he could not avoid referring to it. On this subject generally he was certainly satisfied, as he thought probably many of their Lordships would be, that in a matter of this kind the Colonies must needs follow in the wake of the mother country, and partake in the system adopted by her. If the great interests of this country required that the trade in corn should be free, it would be manifestly impossible for the Colonies not to be participators of the same system. Except there was a system of bounties on

colonial produce, which would, he thought, find few supporters, he did not see how the Colonies should be exempt from the same law under which the mother country was placed. He should endeavour to lay before their Lordships some grounds for the Bill, and to show that those of their Colonies that were interested in this question need be under no apprehension about the result of this measure. The Colonies that were interested were only some of their Australian Colonies and Canada. He said "some" of their Australian Colonies; for, with reference to New South Wales, it was a country which imported wheat for its consumption; it was a country of very great and rapidly increasing prosperity, and the capital and interest of its inhabitants took the direction of pastoral occupation. On both these grounds New South Wales would be more and more an importing country of wheat; and on that ground its neighbours that had wheat to export would find New South Wales a better market for their wheat than this country. With reference to Van Diemen's Land and South Australia, they need be under no apprehension from the result of free trade. During the years 1843 and 1844 in one of those Colonies the average price was 26*s.* per quarter; in the other, something about 28*s.* The freight thence to this country would be about 20*s.* per quarter, which brought up the price at which they could sell their wheat here to about 47*s.* or 48*s.* This low amount would enable them to compete with the markets of other countries; and those Colonies had besides a natural protection, which he thought he put down at a very low rate when he put it down at 10*s.* a quarter, resulting from the incomparable quality of their produce. He had not practical knowledge on this subject; but he had lately seen some wheat coming from South Australia, and he was convinced that not one of their Lordships, with more ample knowledge on the subject, had ever seen wheat to compare with that South Australian wheat. Now, with reference to the most prominent interest involved in this question—namely, the Canadian question—in the first place, everything that had been alleged on the side of the opponents of this Bill with reference to the interests of Canada was no more than was alleged with reference to every single interest that ever was affected by an alteration in the customs duties. In the year 1842, when the Tariff was under discussion, the representatives of every single interest supposed to be affected visited the Board of Trade, to lay before his right hon. Friend who was then Vice President a statement on paper of the certain and inevitable ruin which the proposed Tariff would bring on those interests; and some of their Lordships might have seen a pamphlet which was published by Mr. Gladstone, showing that all those anticipations had been falsified—that those trades remained as they had been, or had received a considerable increase. Had the Canada interest gone backward from that period? No, it had not. Those who were interested in the Canadian timber trade, asserted that the reduction of 20*s.* a load in the differential duties would bring destruction on their trade. That was in 1842; but the President of the Board of Trade laid a statement before them the other day respecting that trade, and it appeared that in the last year the price of Canadian timber, which for two or three years after that alteration had been lower, giving the consumer the whole benefit of the reduction, had, in consequence of the increase of the demand, concurrently with the increase in consumption, recovered its former amount. It was to be hoped that a similar result with respect to the Canadas would attend this measure. And to show that there were good grounds for that hope, he would lay before their Lordships some considerations drawn from the nature of the case itself. And first, he would refer to the feelings of the Canadians themselves, though he could not refuse to admit, that, in doing so, he was arguing the question under great disadvantages, in consequence of the Address which had been received from the Canadian Legislature, and which had been so often referred to in the course of the debate. In admitting that, however, he did not know if there were any occasion for him to make the same disclaimer which had been made by the noble President of the Board of Trade, as to any knowledge respecting the existence of that document. It was well known that the Canadian mail was not due till the 29th of each month—it was received late; and on the occasion in question, the contents of the mail were not known till ten o'clock on the following morning. He had admitted that he laboured under disadvantages from the fact of the existence of that Address from the Canadas; but he knew that the whole tone and purport of that Address were entirely inconsistent with the occurrences which

had taken place in the Canadian Legislature. He had been informed, and was enabled to state on the best authority, that the Address had been passed most unexpectedly. If any noble Lord would take the trouble to refer to the reports of the debate, or rather of the "no debate," on the occasion of the Address being carried, they would see that there was very little argument indeed. The Motion for the Address was carried just before the mail went out. It was moved by Mr. Holmes in a very few words, that a Committee should be appointed to consider the Address; and not one word was said in the reports in the newspapers beyond the fact of the appointment of that Committee. It might be said that this showed the unanimity of the Legislative Assembly on the question; but if any of their Lordships would take the trouble of reading the full and complete report of the debate which took place on the Premier's Resolutions, it appeared to him (Lord Lyttelton) that he would necessarily participate in the surprise which the adoption of the Address had, he was bound to say, caused to Her Majesty's Government. The Address was altogether unexpected; and the Members of Her Majesty's Government could not but think that the next mail would bring some document of a different character. The resolutions which were carried certainly had not gone the whole way in any affirmation or approval of the policy of Her Majesty's Government; but he would refer to it with the greatest confidence, as a proof that the Canadians were ready to accept that policy in a spirit of manliness and resolution. Above all, he had the highest authority for saying that the bare idea of the measures of Her Majesty's Ministry having caused, or being likely to cause, the slightest diminution in the spirit of loyalty among the Canadians, was as wild and absurd as any in the world. Whatever disapproval had been expressed by persons of eminence in Canada, it had not taken the line of disapproval of the present measure as it was, but showed that those who felt that apprehension were alarmed, unless this measure were accompanied by others in the same direction. Their Lordships would see there was a great difference between total disapproval, and such qualified opposition as that. The speech of Mr. Merritt, who brought forward certain resolutions conceived in this spirit, in an address of great ability and length, so far from disapproving of this measure, entered with great talent on a consideration of the arguments and policy of the First Minister of the Crown, and concluded in these words:—

"With these resources at command, why should we not avail ourselves of the accidental and natural advantages we possess, and promptly follow this great movement; which, happily, has been introduced under the sanction of the most eminent statesmen, in the greatest nation of the present day?"

He would also refer, in support of that statement, to the proceedings of the great meeting held at Montreal, soon after the debate. To any noble Lord who had read the report of these proceedings, he would appear justified in relying on them as an additional proof of what he had said. A resolution had been proposed in favour of the measure, which, however, had not been carried—it had been defeated by a very small majority. But he would call the attention of the House to the words of the resolution which had been carried. It stated—

"That, whilst this meeting has in view the ultimate establishment of free trade in this Colony, it nevertheless, if hereafter found necessary, will use its influence to ensure the continuance of such protective duties on our produce going into the markets of Great Britain and Ireland as the Imperial Parliament, in its wisdom and justice, may now or hereafter see fit to enact for the welfare and prosperity of this country. In the meantime, however, this meeting is of opinion the dangers apprehended from the change of system may only be met by a wise and timely adjustment of depending interests to suit the altered circumstances of her relations with the mother country."

It would be seen from these words that the meeting evidently looked forward to the ultimate adoption, and that at no very distant period, of some further measures in addition to the present. Much stress had been laid on the first despatch of the Governor General on this subject. But that despatch was not intended to convey the deliberate sentiments of the Governor General himself, but was merely a representation of the views and arguments which had been laid before him in his official capacity on the question. So far from that being the case, he was enabled to say that the Governor General did not hold these opinions in their full extent, though he certainly did anticipate some, though not very serious detriment to the Colony unless other measures of a similar character were carried. As far as their feelings were concerned, he would show that the Canadians needed not to be under any apprehension as to the effect of the

measure. Mr. Cayley, the Inspector General, who was the Finance Minister of Canada, made certain calculations on the price of corn from the time it was shipped at Ontario till its arrival in Great Britain, and came to the conclusion that it might be landed in England for 40*s*. He (Lord Lyttelton) believed that one or two items had been placed too low; but he had received calculations in detail from Mr. Gillespie, a leading Canadian merchant, who viewed this measure without apprehension, from which it would appear that corn could be landed in Liverpool at 46*s*. a quarter. As to the question of competition with the United States, which formed the chief ground of apprehension as to the effect of the Ministerial measure, he was utterly at a loss to conceive how it could be asserted that the Canadians would not be able to compete with the Americans with respect to the corn trade in the English market. Why could not the people of Upper Canada compete with the Americans of the Western States? Their soil was about the same, the wages of labour were about the same, and the quality of the best Canadian wheat was equal to the best grain in England. He believed that the difference of freight between New York and England, as contrasted with the freight between Quebec and England, was somewhat in favour of the Americans; but that advantage was counterbalanced by other considerations, and could, it might be safely said, be overcome by the enterprize and energy of the Canadians. There was very little shipbuilding in Canada, at present; but it was to be expected that they would hereafter apply their industry to that pursuit. Long before the present measure had been introduced, the whole question between the Canadas and America had been set forth in the Report of the Legislative Council of Canada, at a time when the great improvements had taken place in that country. That report, which was made in 1842, was strongly in favour of protection; but nevertheless it would appear from the details that the advantages of the St. Lawrence and the Hudson were very nearly balanced. It also stated that—

"After the enlargement of the Erie Canal shall have been completed, which is our most formidable rival, notwithstanding the reduction heretofore mentioned by the St. Lawrence, the cost of transportation through the two channels will be nearly equal."

He had seen a calculation in figures, with which he would not now trouble their Lordships, in reference to the two routes, one from Buffalo to New York by the Erie canal and Hudson river, and the other from the entrance of Welland Canal on Lake Erie to Montreal, in reference to transshipment, &c.; and in every one respect except the length of canal, the advantage was in favour of the Canadians. He would read to their Lordships the following extract from a despatch of his right hon. Friend (Mr. Gladstone) to Lord Cathcart, dated the 3rd of March, 1846, in reference to the advantages possessed by Canada:—

"Among them," stated the despatch, "I reckon her light taxation; the assistance she has received from British credit and funds, in the construction and improvement of her internal communications; her more regular and steady course of trade with this country; her low tariff, so favourable to importation, and, on that account, powerfully tending to encourage her reciprocal commerce outwards; some advantage in the point of proximity, as compared with the most westerly States of the Union, which are also her most formidable rivals in cheapness of production; and lastly, the means of carriage without transshipments by the St. Lawrence, which cannot be had by the way of the Erie Canal. She will likewise have this in her favour, that her corn trade will have become a settled one of some standing, with all its arrangements made and in full operation, while any regular commerce in that article from the United States must be a new creation, and must go through the processes attending its self-adjustment to circumstances as yet untried; and if it be true that New York offers some advantages as compared with Montreal, particularly in regard to the rate of insurance, on the other hand I consider that the shipping of British North America has many advantages over that of the United States in the competition for freights, as it is constructed at a far less expense, and is, I must assume, navigated with equal vigour and equal economy."

He was not aware in what particular any part of that statement could be controverted. And what argument in opposition was brought forward in this Canadian Address which, was now so much talked of? Only one, and that was, that the route by the St. Lawrence was frozen up six months in the year. But the same was nearly the case with the Erie Canal, which was the great route for American produce. He therefore thought that there was no doubt that with reasonable efforts on the part of the Canadians, they could compete successfully with the Americans, especially as great improvements had recently taken place in Canadian agriculture by the application of increased capital and in other respects. Having said this much, he was not now willing, if he were able, to follow noble Lords at any length into a general disquisition of what was called the colonial

system. He did not believe in the advantage or benefit of that system. He would not adopt any of the violent language of the Anti-Corn-Law League, and call it a system of mutual robbery; but it was a system of mutual privation and mutual impediment. These restrictions were either injurious or superfluous; injurious, if the protected produce could be more conveniently obtained from other places; superfluous if it could not. Then they were asked—What are the use of Colonies, unless this system is maintained? It had been stated with a degree of fearlessness, for which he had scarcely given the noble Lord (Stanley) credit, that a monopoly was the only chance for our Colonies. He was ready to admit that it would not be easy to say what was the value of the colonial system in a pecuniary point of view. He had always considered that the Colonies were not so much to be regarded as of use in that light, as in providing an outlet for our superfluous population, and continuing the laws, habits, and institutions of this country to the furthest ends of the earth. This he had always considered to be the use of Colonies; and the way to preserve their attachment was by imparting to them the same freedom as we enjoyed, and not by an adherence to a scanty remnant of a perishing system. This vaunted colonial system could hardly be said to exist but in name: it was against the interest of the mother country, and only nominally in favour of the Colonies. They had heard of the antiquity of this system; yet, however ancient it might be, it was not coeval with our early settlements. Our early charters with Virginia gave the inhabitants the power of free trade with all the world; and with respect to parts of this system—the system of timber duties, for instance—there was hardly one of their Lordships within whose lifetime that system had not begun. It commenced in 1808. Was there no actual example to prove the truth of what he was now stating? His right hon. Friend (Mr. Gladstone) had in his last despatch referred to the Australian Colonies. With respect to those great communities, which, owing to the incredible rapidity of their advance, were calculated to add to the glory of the English name, the system was hardly anything but nominal; and in regard to their most important and most abundant produce, that of wool, within the last few years the trade had been entirely thrown open, and the opening of the trade had been followed by an enormous increase in it, and had tended to the general prosperity of those Colonies.

The Duke of BUCKINGHAM was not one of those who wished to attribute unworthy motives, or to use harsh terms towards those who had changed their opinions; at the same time he must be allowed, in the course of his observations, to refer to one or two speeches made by his friends upon the Treasury bench during the time he had the honour of being among them. The question now before their Lordships appeared to him to be this—whether, in the present circumstances of the country, they could carry out free-trade measures? The theory of free trade might be all very well; but he denied that the system of free trade could be practically carried out in this country. They were now called upon to open their ports to foreigners, and no longer to afford any protection to the English agriculturists. If they could place the agriculturists of this country in a similar situation to that of foreigners, and if they relieved them from the burdens with which they were overwhelmed, there would be some reason for insisting on the adoption of free-trade measures; but it was not right or just to apply a system of free trade to this country, which was more heavily burdened with local and general taxation than any country in the world. If their Lordships thought that the farmers of this country, while they continued subject to these serious burdens, could successfully compete with foreigners, a few short years would suffice to convince them of their mistake. It was quite impossible for the English farmer, however practised he might be in agriculture, and however anxious to improve the cultivation of his land, to compete with the foreign farmer, who was not burdened with the same amount of local and general taxation. It had been stated that the farmers of this country were behindhand as compared with the farmers of other countries in their general system of cultivation; and it was said that a larger amount of capital ought to be expended on the improvement of the land. The English farmers were most anxious to apply their capital to the cultivation of the soil; but if their resources were crippled, as they must necessarily be by the present measure, they would be unable to carry out any improvements. Many tracts of wild and barren country had been brought into a high state of cultivation by the skill, and industry,

and expenditure of the English farmer; but he contended that if the present measure was adopted, those large and valuable tracts of country would at once be thrown out of cultivation. There was, however, another point in connexion with this question to which he wished to direct their Lordships' attention—the reduction in the rate of labourers' wages which would necessarily ensue under the operation of this measure. They could not suppose, with the reduction in the price of corn which must be occasioned by this Bill, that the farmer could continue to afford his labourers the same rate of wages which he could now pay, while he obtained a remunerating price. If they reduced the profits of the farmer, the farmer must reduce the wages of the labourers whom he employed; and he considered that no greater misfortune could befall this country than a reduction of the wages of the rural population, which were not excessive, or such as in his opinion they ought to be. He considered also that the tithe question was another point deserving serious consideration in connexion with this question. Not many years ago an Act of Parliament was passed for the commutation of tithes, previously to which many petitions had been presented to their Lordships, setting forth the great distress of the working clergy, and praying for an alteration of the tithe system. The tithe had been commuted, and those lands which were in the best cultivation paid the highest tithe; but what would be the effect of this free-trade measure? The working clergy of the country must make up their minds to a reduction in their incomes of not less than 25 per cent; and he would ask their Lordships if they would wish to see the clergy placed in such a position? He might observe, while alluding to this point, that he had been glad to see that a great number of right rev. Prelates had the other night recorded their votes against this measure. It must not be forgotten that the agricultural interest was subject to peculiar and heavy burdens; and if their Lordships determined that free trade should be the order of the day, they ought, without delay, to relieve the landed proprietors from some of those burthens. For his own part, he would never cease to agitate this question till justice was done to the agricultural interest. They must not suppose that by their votes on this measure next week, or the week after, they would set this question at rest. On this point they must not deceive themselves. He would keep the question in agitation year after year; and he was satisfied that many noble Lords who agreed with him on this subject would not cease agitating till they gained some relief to the agriculturists. He believed that if he lived a few years longer, he would see the Minister of the day, to whichever party he might happen to belong, coming to that House and asking for a renewal of protection to the agricultural interest. The consequence of these free-trade measures must be to diminish the public revenue; and the Chancellor of the Exchequer would be under the absolute necessity of protecting the home market in order to make up for this reduction. In 1841 the noble Lord who was now President of the Board of Control (the Earl of Ripon), and with whom he (the Duke of Buckingham) then had the honour and gratification of voting, said, "He would show that the" then existing "Corn Law in its operation had not only not failed, but that it had produced the effects which it had been intended to produce." The noble Earl also said that "he could not divest himself of grave apprehensions if we were to depend on the importation from abroad for the main part of our supply, and neglect the cultivation of corn in our own country; that we might find the difficulty" of obtaining a supply "aggravated every year;" and he added that, "on the supposition that the projects of the Government were carried into effect, no man could entertain any reasonable doubt that a very large portion of the corn land in this country would be thrown out of cultivation—an evil which, if it once commenced, no one could say where it would stop, or what would be its disastrous consequences." These were his (the Duke of Buckingham's) opinions—opinions to which he still adhered; and he believed that one of the most fatal consequences of these free-trade measures would be that of throwing out of cultivation a large portion of our corn land. If this country would then happen to be placed in a position of danger, and foreign ports were closed against us, our own cultivation having been considerably diminished, those who supported the present measure might have reason to regret the course they now pursued. But he would quote the language used in 1841 by a noble Duke (the Duke of Wellington), whose opinions would always be entitled to their Lordships' attention. That noble Duke said, "But, my Lords, I earnestly recommend you, for the sake of the people of this country—for the

sake of the humblest orders of the people —not to lend yourselves to the destruction of our native cultivation." He agreed in this opinion; and he wished to God that now, in 1846, the noble Duke adhered to the opinions he had expressed in 1841. He (the Duke of Buckingham) regarded this measure with great alarm, for he believed it would be prejudicial to the interests of the population—manufacturing as well as agricultural; and that those who had established the Anti-Corn-Law League would be the first to suffer from its effects. He regretted that his noble Friends with whom he had acted for many years should so suddenly have changed their opinions on this question. Had they assigned any good reasons for that change, he might have admitted that it was justifiable; but, under the circumstances, he was bound as an honest man to say that he believed them to be wrong. He considered that they had not stated any reasonable grounds for having in the month of November last so suddenly changed their opinions, and abandoned all their former principles. He thought it would have been far better had they at once retired from office. He hoped and trusted, if Her Majesty's Ministers succeeded in carrying this measure—of which he was doubtful—that it would tend to benefit the country. But, holding the opinions he now did, which he had never altered, and which he saw no reason now to change, he entertained the strongest conviction that Her Majesty's Ministers would regret what they had done, and would live to see the destruction of the agricultural interest of the country. It was not too late even now to retrace their steps. He entertained the confident hope that their Lordships would still be able to stem the torrent, and prevent the Bill from passing into a law. He thought he might safely assert that no noble Lord was entirely satisfied with this Bill, and that no Bill ever came into their Lordships' House that was more generally disliked than the present. From party motives and party feelings it was to be carried, and it had originated in a desire to preserve political offices and honours. The Ministers had been put into their present places by them (the protectionists), but they did not act up to what they led them to believe were their opinions in 1841. He would now allude to a speech delivered by Sir R. Peel in 1842, who said then that it was desirable to secure the price of wheat at 54*s*. if possible. But under the present Bill he doubted whether it would be 44*s*. or even 40*s*. In 1842 the right hon. Gentleman said, that he did not rest the claims of the land to protection on the ground of its peculiar burdens alone, but on other grounds, the most important of which was that this country ought not to be dependent upon foreign nations for a supply of corn. The right hon. Baronet then recognised the claims of the land to protection, not only on the ground of the burdens it had to bear, but because it had enjoyed it for 150 years, and large capitals had been invested in it. Nothing in his (the Duke of Buckingham's) opinion, could be more unwise than to risk the disturbance of the interests embarked in agriculture by the sudden withdrawal of protection, under which the existing relations of society had in a great degree been framed, and in reliance on which so much wealth had been directed towards the cultivation of the soil. He (the Duke of Buckingham) could not stronger express his opinions. Before he sat down he had only one remark more to make. It had been repeatedly urged, that the feelings of the country were against this measure. If their Lordships entertained any doubts upon it, he conjured them to present an humble Address to Her Majesty, praying Her to dissolve the present Parliament, and to allow the constituency of the country to be the best judges of whether they coincided with the measures of Her Majesty's Government or not.

Lord COLCHESTER was anxious to make some observations on what had fallen in the course of these debates, from some noble Lords respecting the effects of free trade on our shipping and Colonies. He wished at the outset to guard himself against being thought an advocate of prohibition, or as being desirous of advancing the interest of any particular class of his fellow subjects to the injury of any other class. He believed the prosperity of our manufacturing interests to be essential to the welfare of the country, as well as that of the agriculturist, and that the one depended on the other; and it was because he considered that the principle of entire free trade—now asserted to be the only sound principle—to be injurious to both interests, that he felt obliged to oppose this Bill as one great advance in the new system. He was a friend to moderate protection, and as such, had supported the Corn Bill and Tariff of 1842; though now he doubted whether they had altogether

answered the purpose intended. With regard to British shipping, the relaxation of the commercial code in 1826 had no doubt produced a considerable increase in its numbers. In 1831, the number of vessels belonging to the United Kingdom and its possesions in Europe, amounted to—

1831 ..... 19,450 ships ..... 2,224,356 tons.
1841 ..... 23,461 ships ..... 2,935,399 tons.

To the Colonies :

1831 ..... 4,792 ships ..... 357,608 tons.
1841 ..... 6,591 ships ..... 577,081 tons.

Showing during those ten years an annual average increase for the United Kingdom of 71,104 tons, and for the Colonial shipping of 21,947 tons. From 1842 (the date of the last alteration) the increase stood thus :

1842—All vessels belonging to British Empire, 30,815 ships ..... 3,619,850 tons.
1844 (the last year to which the official tables are brought down), 31,320 ships ..... 3,637,231 tons.

Giving an annual average increase of only 8,690 tons; and of this diminished increase, 7,202 tons belonged to Colonial shipping, leaving for vessels of the United Kingdom only 1,486 tons, instead of 71,104 tons. The relaxation of duties had been particularly fatal to our whale fisheries.

In 1821 this trade employed	322 ships...	12,788 men.
1841	85 ships...	3,008 men.
Being a decrease in 20 years of	237 ships...	9,780 men.

In that branch of the whale fishery carried on in the South Seas—

In 1821 there were at sea ..... 123 ships.
1845 ..... 44 ships.

Fifteen of these would have returned in that year ; and it was expected that of those not more than five would be refitted. Mr. M'Gregor, from whose Commercial Tariff of the United States these facts were taken, states that this decline of the British whale fishery " is asserted to be attributable to the withdrawal of bounties from British fisheries, and the abatement of duties on vegetable oils, the produce of foreign States." And Mr. Enderby, a great owner of whale ships had lately told him (Lord Colchester) that unless our Government gave facilities for encouraging this trade, it would be entirely lost to this country ; and the capital still employed in it would be transferred to other countries. The ships employed by the United States of North America in the whale fishery, had, under a protective system, increased from 431 in 1833, to 691 in 1845. With regard to the Colonies, the noble Lord the Under Secretary for the Colonies had that evening asked the question of what use were our Colonies to us; and in reply to his own question said, " To take off our surplus population." No doubt this was one use of Colonies ; and our Colonies had between the years 1825 and 1844 taken off no less than 647,000 persons of that surplus. But there were other most important uses in our Colonies : to take our produce and manufactures, and to maintain our commercial navy. The declared value of British and Irish produce and manufactures exported from the United Kingdom to the Colonies in 1844, amounted to no less a sum than 16,045,761*l.* ; exceeding by more than two millions sterling the exports to Russia, Sweden, Norway, Denmark, Prussia, Germany, Holland, and Belgium—the whole exports to those countries during the same year, amounting only to 13,937,037*l.* This was the trade which we were going to risk by the taking off the existing discriminating duties, and admitting into unfettered competition the rivals who at the present moment undersold us in neutral markets. That such would be the risk was clearly established by the evidence of two gentlemen of great ability and experience in manufacturing concerns lately given before the Committee of that House upon the burdens upon real property. These Gentlemen, Mr. H. Ashworth, and Mr. R. H. Greg, formerly Member for Manchester, both stated that the Americans undersold us in the markets of South America and of China ; and Mr. Greg added, that in the coarser articles of the cotton manufacture, where the cost of the raw material bore a certain proportion to the whole expense of the manufactured article, the American States had advantages which would enable them to send such goods, not only into the markets of our Colonies, but to compete successfully with us in Manchester itself; and being asked whether he should be very much surprised if in the course of a few years the manufacturers of England should apply for protection, his reply was, " I should not be surprised at it ;" but he added, " I should be very much surprised if they were attended to." But the case did not rest on the evidence of these gentlemen alone: he (Lord Colchester) could confirm it as to South America from his personal knowledge; and it was the state of British trade in those markets in 1831-32, which first

made him doubt the policy of stimulating by legislative enactments the ardour of our manufacturers, who had already glutted the markets with goods sent out on speculation, and found themselves undersold by America. With respect to China, the notes of Sir Henry Pottinger, attached to the Tariff negociated by him, showed that the Americans had already become formidable rivals to us in various branches of the cotton manufacture; that in some articles, the Chinese give a decided preference to French and Swiss goods; and that the broad cloths of Saxony and Belgium were sold there cheaper than the English. Free trade might, therefore, be found more beneficial to our commercial rivals than to ourselves, and enable them to compete with us in those markets, now exclusively under our own control. If it should be asked why then did the millowners and manufacturers press for freedom of trade; it might be answered in the words of Mr. Ashworth, they cannot withdraw the capital embarked in mills: "they must either go on to prosperity and wealth, or go to the *Gazette*." They cannot even allow the mill to be idle, though it returns no profit; for "it has been calculated by the Chamber of Commerce of Manchester, that the charges which must be paid, whether the mill is at work or not, amount, on a mill of 52,000 spindles to 6,334*l.*; therefore, unless the loss by working exceed that sum, it is better to go on." Goods were thus manufactured and exported, not because there was a demand for them, but in the hope of some chance of disposing them to avoid the greater evil of the mill remaining idle. This was an unhealthy state of trade, which should not be encouraged. This statement of the probable effects of entire free trade was taking it under the most favourable point of view, as proceeding uninterruptedly; but if war should arise and interfere with our foreign trade, and at the same time the measure under discussion with respect to corn should have so injured the agriculturist as to have considerably diminished his demand upon the home market, what would then be the situation of the manufacturer? He (Lord Colchester) had been desirous of entering upon other points connected with this great question; but at that late hour he would not trespass further upon their time, than to add, that he thought so vast and hazardous an experiment should not be tried upon a great country, admitted to be prosperous, and still improving, under its existing system; and he must therefore vote for the Amendment of the noble Earl.

Lord HOWDEN would scarcely have ventured to present himself to their Lordships' notice, but he wished to call their attention to a few circumstances which he believed were not foreign to the subject of discussion. He would relieve their Lordships from any fear, and himself from the well-merited reproach of extreme arrogance, if he were to enter at length into a subject upon which neither his intelligence nor experience qualified him to detain their Lordships long. If he were disposed to introduce arguments worn threadbare by daily and nightly discussion, he might offer to their Lordships the apology that the first vote he had given in that House, six or seven years ago, was on a subject connected with the Corn Laws. It was, indeed, a mild and milk-and-water Motion; but those who voted with it were left in a small minority. But, milk-and-water as was its character, it was strenuously opposed by the noble Viscount then at the head of Her Majesty's Government, and by every Member of the Cabinet of that day, except one whom he did not see in his place. This recollection, which might be fruitful in other hands, would not tempt him into any personalities. He said "tempt him;" for, from the experience of the last few weeks, or rather the last few months, one might suppose there was something very agreeable in saying very disagreeable things. The flashes of this sort of talent, with which they had of late been abundantly favoured, he should consider rather as showing him the ground on which he ought not to trench, than as holding out the light which was to guide him on his way. A considerable portion of his own early life had been spent in a country which would certainly have found more favour in the eyes of noble Lords on the cross benches, from its obstinate antipathy to any change in its commercial relations, and its undeviating concurrence in the wisdom of its ancestors. In 1819 or 1820, he forgot which, one of the southern provinces of Spain had, from local circumstances, completely lost its harvest, while in another it was rather more abundant than usual. If there had been enlightened regulations regarding commercial intercourse, the scantiness of one province would have been supplied by the overplus of another; but the legislative Acts which were in force prevented the interchange of commodities. The same

circumstance had often subsequently been reproduced on a larger scale between different countries of Europe, as in 1810 between France and England. At that time the legislation of Spain not only established custom-houses between one country and another, but also custom-houses regulating the intercourse between different provinces, which prevented them from communicating their productions; and, incredible as it might appear, wheat was one of the prohibited articles. One of those provinces was blessed with abundance, while the other was visited with scarcity, almost amounting to famine. Putting aside humane considerations, how did the anti-commercial legislation result? The southern province had silk in large quantities, and a considerable portion of woollen manufactures; and a considerable portion would have been exported if the trade had been free. What answer could be made to this? He could not conceive that England, not growing corn sufficient for her own consumption, when at any time, or under any circumstances, she could export an increased supply of manufactured goods for an increased supply of foreign corn, would be placed in disadvantageous circumstances. She would be placed precisely in the same position as the province of Spain from which he had borrowed the illustration. There could be no difference between two provinces, however small their mutual produce and consumption, and consequently their mutual interest, and any two countries forming an integral part of the great family of nations. He was tempted to state this, because he had heard the other night that the idea of a larger export of manufactures against an increased import of corn was a delusion, though he could not understand how it was possible to have an increased export without an increased import. They could not, with their increasing population, prevent a corresponding increase in their manufactures; and he maintained, therefore, that it was their duty, both in policy and justice, to feed their population as cheaply as they could. The exigency under which they were legislating was the force of circumstances; and it was because the Premier had seen and acknowledged that force that he had been covered with such a load of obloquy for yielding to what short-sighted persons chose to call expediency. It was his conviction that the Minister had not erred. There were two arguments against the measure which he would wish briefly to allude to. They were told that all authority was in favour of legislating upon protective principles. This he denied. The truth of the doctrine of free trade appeared to have been felt by Lord Bacon, although two centuries were necessary for its development. He would be allowed, as he had cited Lord Bacon, to allude to another authority—another great man, who, like Shakspeare, appeared to know something of every thing—Cervantes. Don Quixote, in giving instructions to Sancho Panza previous to his assuming the government of his famous island, counselled him as follows:—"Remember to take care to provide abundance of eatables and drinkables for your new subjects, for there is nothing that will sooner alienate their minds from their prince than a deficiency in either." They were told of the authority of old statutes in favour of protection, but it did not follow that what might be good in the fourteenth was equally advantageous in the nineteenth century. As for commercial intercourse rendering a country dependent upon another, the fact was, that the dependence was mutual—that the producers depended as much on the consumers, as the consumers on the producers. He did not fear what foreign nations could do; but he feared that circumstances would arise in this country which would deprive the measure of much of its merit and all its grace. He would ask noble Lords about to oppose this measure what they expected would be the result of the present state of things? It might be that the Minister who had been courageous enough to sacrifice his place to principle, might cease to hold his office; but those noble Lords had no reasonable hopes of succeeding to his inheritance. They might render impossible the existence of a Government with which they had one feeling of dissent, and a thousand in common; but they were paving the way and macadamizing the road for a party with which they had not one sympathy, nor a single tie. He had no personal or hereditary reasons for attaching himself to either of the great parties; but not so with many of their Lordships, who had ancient descent, vast possessions, powerful influence; and these they were throwing in the scale to weigh down those who only were able to defend the principles they professed. He had heard something of treachery and ungracious words between the Minister and his adherents; but as a humble individual sincerely attached to the true Conservative policy, he only hoped

their Lordships would not find they had been traitors to themselves. As to what was called, in modern phraseology, the pressure from without, the idea, in its invidious sense—for he did not speak of the general feelings of the people legitimately expressed—ought to be scouted as operating upon their Lordships' judgment. But there were some things which were dangerous to speak of, some prophecies which tended to their own accomplishment. So long as their Lordships did their duty, he cared not what were the aspirations of the League. He rather feared the effect that might be produced by the apprehensions which had been indiscreetly expressed by some of their Lordships. He confided in the good sense of the country; but he asked those who were conjuring up distant visions of terror in theories not yet broached, and exigencies not yet developed, if they saw nothing to fear at an earlier period and more impending moment, in what might be the immediate disposition of expectant millions as to the upshot of a question no longer in speculation or in embryo, but which had expanded itself and passed triumphantly through one branch of the Legislature, and was now at their Lordships' threshold, awaiting whatever sentence they might be pleased to pronounce.

Debate adjourned.

House adjourned.

HOUSE OF COMMONS,

Thursday, June 11, 1846.

MINUTES.] PETITIONS PRESENTED. By several hon. Members, from various places, complaining of the Refusal of Proprietors of Land to grant Sites in suitable places, or on any Terms, for the Erection of Churches for the Free Church in Scotland.—By Mr. Mildmay, from Physicians and Surgeons of the Town and County of Southampton, for promoting the Establishment of Baths and Washhouses.—By Sir Charles Burrell, from Elected Guardians of the Poor Law Union of Horsham, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.

RELATION OF LANDLORD AND TENANT (IRELAND).

The EARL of LINCOLN rose, pursuant to notice, to move for leave to bring in three Bills—namely, a Bill to provide for compensation to tenants of land in Ireland for improvements made by them; a Bill to amend the law in respect of the power of ejectment and distress in Ireland; and a Bill to provide for a short form of lease of lands and tenements in Ireland. The noble Lord said, it had been his duty, two days ago, to address the House on a subject connected with Ireland, on which strong feelings of antagonism had been excited in that House and elsewhere, and as to which both the people of Ireland and the people of other parts of the Empire were in opinion diametrically opposed. It was now his duty to trespass on their attention with a subject which in some respects would be more pleasing. He was about to ask leave to introduce measures upon which, whatever difference of opinion there might hereafter be as to the details of their provisions, he could not expect that there would be any feeling of excitement such as had arisen on the other measure; but upon which, as regarded their principle he might, on the contrary, expect every one in that House to be united; on which no feelings of party animosity could be excited, or any rivalry arise except one of a generous and kindly nature, as to which should give the most effectual aid towards the common object, that of improving the condition of the people of Ireland, by increasing and improving the cultivation of the soil, and securing to tenants that security in their investments in the land without which it must be admitted by all men, whether Englishmen or Irishmen, it was hopeless to expect that the soil would be properly cultivated, or the improvement of the people otherwise than prejudiced and retarded. He desired to consult the convenience of the House on this occasion, by addressing them on the subject of the three Bills together, as they were cognate Bills, rather than by introducing each Bill separately to the House. Upon that principle, then, he would proceed. He need hardly say, that these Bills were mainly founded upon the Report of Lord Devon's Commission, of which, he was happy to say, three members were Members of that House, and were now present. He did not mean to say, however, that all these measures, and more especially the first, were in exact accordance with the recommendations of that Commission; though, on the other hand, they would not have to complain of any great divergence from that which they had recommended. They proposed several recommendations as to the tenure of land in Ireland. It was now proposed in these measures to deal with three only of those recommendations. Her Majesty's Government, however, were far from saying that the others would not be valuable, or that at some future time, when the measures he now proposed should have been discussed, and he hoped passed, those sug-

gestions might not be adopted. He referred here, of course, to measures of a legislative character. The recommendations which were embodied in the Bills he now proposed to introduce were, he believed the House would admit, the most important of all those contained in the report. This subject had been so much discussed, not only in that House but also by the press and throughout the country—public attention had been not merely so repeatedly drawn to it, but really so rivetted upon it, partly by what had occurred in Ireland, partly by the efforts of the press, and of Members of that House, and by the reports of this Commission and of previous Commissions, that he felt he would be unduly trespassing on the attention of the House if he were to enter into any lengthened argument, for the purpose of proving the necessity of legislating on this subject, or if he were to make any lengthened quotations from the report of this Commission, or from those of previous Commissions and Committees of that House. He was quite prepared, should the House wish it, to establish his case by such means; but he felt that he would be only unnecessarily trespassing on their attention, and he should therefore proceed at once to explain the manner in which he proposed to deal with the subject. He believed that there was no one but would admit that the subject was one of extreme difficulty; that it was perhaps one with which few could in this respect be compared; or that it was as delicate as it was difficult. He was satisfied also that these difficulties could not be overcome, unless those who were interested in the subject, one way or other, would agree to wave minor objects, and look to such a settlement of this question as would be most satisfactory to all classes of the community. He (Lord Lincoln) need only appeal to the efforts that had from time to time been made by the hon. Member for Rochdale, in order to show what difficulties there were in the way of settlement. He was sure there was no Member of that House who would not be prepared to do justice to the honest efforts of that hon. Member to legislate satisfactorily on this measure; but they would also admit, that after he had for many successive years attempted to devise measures upon this question, he had on each occasion materially altered the plan he had previously submitted to the House; so much so, that not only were all the details different, but even the principle was not in any case identical. This he did not urge as showing any want of fixity in the views of the hon. Member for Rochdale, but only as proving that the question was beset with difficulties even to those who had given it their most serious and anxious consideration. Feeling, then, that it was not only right, but absolutely necessary, that Parliament should legislate on the subject, he must at the same time also express his conviction that, legislate as they might, it was impossible that the relations of landlord and tenant could be so regulated by any Act of Parliament but that much must still remain to be done by the parties themselves, and much left to the justice, moderation, and good feeling of both landlords and tenants. It was the duty of Parliament to legislate for the best; but the success of any measures must still depend upon the landlords as a class, and on the character and conduct of individual landlords. Without assistance from them, no legislative measure could be successful. So convinced was he of this, that he was of opinion that much might be done by the combined efforts of both landlords and tenants even without legislation. He did not see that Parliament could do much more than see justice done between the two parties. The noble Lord opposite agreed with him in thinking that it would be most unwise and improper for Parliament so to tamper with this subject, as even to produce an impression on the public mind in Ireland, that you were willing to endanger the foundations of the rights of property, or, on account of the special case of Ireland, to render insecure those interests which every country felt ought to be based upon the most secure foundations. Even before he held his present office, he had devoted the most axious attention to these subjects; and he was of opinion—an opinion strengthened since—that it was the duty of the Legislature to interpose in the present state of affairs as regarded the tenure of land in Ireland. They had been told, and they might be told again, that a great principle was involved in the non-interference between landlord and tenant—that whatever might occur, we ought not to interfere. But whatever might be the advantages in the abstract of that doctrine, he (Lord Lincoln) was not prepared to act upon it; for he need scarcely say he agreed with the Commissioners, when they laid it down that an improved cultivation of the soil, and an advanced

condition of the people, were intimately connected with the general prosperity of the whole Empire. He had been much struck with a sentence in one of Mr. Nicholls's (the Poor Law Commissioner's) reports, in which he said that in Ireland want of employment produced destitution; destitution, turbulence; turbulence want of security; want of security, want of capital; and want of capital, want of employment. Here was a complete circle of cause and effect; and the House were bound to interfere in such a state of things. That interference was not merely justifiable but absolutely necessary for the safety of the country. He doubted whether there was now any member in the House of any political party who was not in favour of interference. Two leading principles pervaded more especially the first Bill of the three. One of these was to encourage, as far as possible, tenants, when they had capital, to invest it in the improvement of the soil. The Commissioners stated, that not unfrequently the capital of the farmer consisted only of the labour of himself and his family, and that if the best application of that labour were pointed out, it would be generally found that the Irish peasant was ready to co-operate in producing improvements beneficial alike to himself and to the country. Looking, then, to the many instances in which the tenantry of Ireland had not capital to expend on improvements, the Commissioners had judged wisely in recommending (as they had done strongly) that encouragement should be given to landlords to effect those improvements, especially under certain circumstances. Though ready to admit that any thing like compulsion in these matters was at variance with abstract principle, yet it would be admitted by all that, as regarded mere voluntary agreements, great facilities might be afforded for effecting improvements under them. The Commissioners thought some provision necessary to meet those cases which could not be settled by private agreement. He should now briefly explain the provisions of those Bills. The first differed from that which was last year introduced by his noble Friend the then Secretary for the Colonies (Lord Stanley), by which a new machinery was created, such as those who were most conversant with the subject considered cumbrous and unsuited to the circumstances of the country. No new machinery was introduced by any of these three Bills; and simplicity so far as it was attainable, was unquestionably a great object in such a matter. Some of the machinery had been adopted on the recommendation of the Commissioners, namely, that which related to the assistant barristers. The first two clauses referred to voluntary agreements. Under that head it was proposed to admit all kinds of improvements. A broad distinction was felt to exist between improvements on the soil generally and two kinds of improvement which it was proposed to adopt under what he might term the compulsory clauses, namely, building and thorough drainage. Those it was proposed to charge upon the inheritance as permanent improvements. As to voluntary agreements, it was proposed that a tenant anxious to effect any improvements should serve a notice, in a form prescribed in a schedule attached to the Bill, upon the immediate landlord. If the landlord approved of the improvement, he signified his assent also in a form which was prescribed. But this part of the plan being voluntary, if the landlord refused his assent, the whole matter dropped to the ground. But, further, it was proposed to give the tenant a right of applying, in the event of the landlord's refusal of the more general application, for a compulsory arrangement in reference to these two heads, building and thorough drainage. On these points the Bill in some respects differed from the views of the Commissioners, who held that thorough drainage should not be included, and wished more closely to assimilate the law in Ireland to the practice in England, rendering that compulsory only which in practice was invariable in England, namely, that the landlord should be bound to provide buildings for his tenants. But thorough drainage was so essential a matter as regarded the improvement of land, more especially in Ireland, that he (the Earl of Lincoln) should be exceedingly disappointed if the House were to decide that thorough drainage should be excluded from the class of improvements which should be made compulsory. If, however, there were to be compulsory compensation, justice to the landlord demanded that the nature and cost of the improvements should be completely ascertained; and this consideration would explain a great many of the provisions introduced into the measure. One great difficulty, which had no parallel in England, arose from the multiplicity of landlords connected with the same piece of land in Ireland. The notice which was to be

served with a view to a compulsory improvement was to be served upon all the landlords having an interest which extended to thirty-one years. The service upon the immediate landlord was to be in person; upon the others service through the Post Office would be sufficient. The immediate landlord was bound to name an arbiter, and bound also to say whether he was willing to do the work himself; otherwise an allowance would be required on the outlay, not exceeding 5 per cent upon building, and 4 per cent upon thorough drainage. His reason for introducing this provision, and the distinction of the rate of interest, was, that it was on all hands admitted as most desirable that, as regarded buildings, such improvements should be executed by the landlord, and not by the tenant. There was greater security for having the work well done; and, if too great inducements were held out to improvements of that class by the tenants, the effect would probably be to distract their attention from the improvement of the soil. Looking, however, to the very small holdings into which properties were divided in Ireland, it appeared to him advisable to place thorough drainage on another footing. Upon the notice being served in the form prescribed, the landlord might see fit to assent to the execution of the work either by himself or by the tenant; and the landlord's form of assent was given in the schedule. If he assented on receiving the last notice to which allusion had been made, the transaction became a voluntary agreement, but with this difference from the voluntary agreement contemplated in the earlier clauses of the Bill, that it was confined to two objects exclusively—building and thorough drainage. The expenses of these improvements would thus become a charge upon the inheritance. If the landlord gave his assent, the next step was that the document which embodied that assent was filed with the clerk of the peace. If the landlord objected, he was bound to serve a notice of objection, and appoint an arbiter. In the event of the landlord refusing to appoint an arbiter, which refusal would otherwise put a veto on the whole proceedings, it was proposed that arbitrators should be chosen by the assistant-barrister and the justices at quarter sessions. There was obviously good reason for vesting that power in a body composed of the class to which the landlords belonged. If the arbitrators agreed, then they proceeded to make their award. If they disagreed, they were called on to appoint an umpire. But if, as frequently, it was said, occurred in Ireland, parties could not agree in the choice of an umpire, then it was provided that the umpire should be chosen by the assistant-barrister, without in this case the assistance of the justices at quarter-sessions, as the umpire should not be chosen by those who belonged to the same class as the landlord. The award being made, an option was given to the landlord within thirty-one days of intimating his resolution to undertake the works. The award having become final, was to be registered with the clerk of the peace. This was the last preliminary state; and the parties then received liberty to proceed with the improvement. It was needless to add that power of inspection was given to the landlord. [Mr. HAWES: Who pays the arbitrators?] The parties paid the arbitrators. The next portion of the Bill related to the mode of arranging the compensation. Two plans had been suggested. The one adopted in the Bill was that within seven years of the award being made, a party quitting his tenancy should be compensated in the whole sum expended on improvements; that a party quitting at the end of fourteen years should receive three-fourths of the sum expended on improvements; that a party quitting at the end of twenty-one years should receive one-half; and at the end of twenty-eight years, one-quarter. At the same time, an option was given in a case where the period of tenancy had expired antecedently to the twenty-eight years; and if the landlord chose to continue the party in possession till the expiration of the whole twenty-eight years, the tenant should not then be entitled to compensation. The other proposal which had been made on this point was one which had met more favour in the eyes of the Commission than that which he had proposed to adopt. It was, that, for a period of thirty years, a party should be entitled to receive the whole cost of his improvements, deducting on the valuation the diminution of value within that time. The lapse of time before this valuation and other circumstances, opened a door for great disputes between landlord and tenant; the one probably asserting that more, and the other that less had been done. The other plan, therefore, he had proposed as that by which the object would be better gained; it being understood that the landlord should bear the expense of tear and wear. A provision was then inserted to meet the diffi-

culty to which he had alluded, arising from the number of intermediate landlords, that if a landlord with a terminable interest in the land paid the tenant for improvements, he should be repaid by those who succeeded in the estate. A provision was then inserted, that at the completion of these works, by mutual consent, but not otherwise, the landlord might pay the whole cost of the improvements. Provision was also made to meet the case of the landlord failing to fulfil his obligations under the award, and to render him liable in damages for breach of contract. These were the leading provisions of the first Bill. The next Bill was for the alteration of the law in regard to ejectment and distress. In the first place, the provisions of the 56th George III., which gave power of distraint on the growing crops, were abolished. He knew that a difference of opinion prevailed in Ireland as to the expediency of removing this power of distraint; but he believed the Commissioners and others were of opinion that its disadvantages overbalanced the advantages which it might be supposed to possess; and in this opinion every inquiry he had made disposed him to agree. Then provision was made for regulating costs in cases of distress. There was at present no such limit as was now proposed; and the provision, it would be allowed, was a valuable provision as regarded the interests of the tenants. He now came to the second part of this Bill, viz., that which related to ejectments. He hoped that the anticipations which might be formed as to what it was in the power of Parliament to enact, or of Government to propose, would not go to such lengths as he feared they had in some instances, and in other places, gone. The hon. and learned Member for Cork (Mr. O'Connell) in the course of a debate this Session pressed very strongly for the repeal of the 56th George III., and of the 1st George IV., by which the power of ejectment by civil bill process was first enacted. Quite apart from any interest the landlord had in this question, he could not but agree with the report of the Commissioners on this point, that it would not be for the interest of tenants that this law should be repealed. The 56th of George III. was introduced by two Gentlemen well acquainted with Ireland, and great authorities on the other side of the House, Sir J. Newport and Mr. Ponsonby. It was amended by the 1st of George IV., the same two Gentlemen undertaking the revision, assisted by another gentleman well acquainted with Ireland, Mr. Leslie Foster. This was *primâ facie* evidence in favour of the enactment; but he laid more stress on the evidence given before the Commissioners in favour of the retention of the power of ejectment by this process. When addressing the House on the Protection of Life Bill, he had quoted the evidence of a Roman Catholic gentleman of considerable eminence—Mr. Cahill. The same gentleman, when examined before the Commission, was asked whether he considered the power of ejectment by quarter sessions generally advantageous to the lower class of occupiers? and he stated, "it was absolutely necessary some cheap mode of recovering possession from small tenants should exist, or the landlord would not allow his land to be held by them at all; if it cost 13*l.* or 15*l.* to recover possession of two, three, or five acres of land, proprietors would not let it at all to such tenants; and this would operate injuriously." Another gentleman, Mr. Baldwin, assistant barrister for the county of Cork, also stated ejectment by civil bill process to be as fair a mode of proceeding as he could suggest; it gave two advantages to the tenant, one technical, the other substantial, which he would not have under the process of the superior courts; one was, in case of insolvency, service on the assignee could be proved *vivâ voce;* the other was, that an equitable defence could be made by the tenant under this process, which could not be made in the superior court. But there was a still greater advantage in the civil bill process, in the much smaller amount of costs it involved. Under the civil bill process the costs were never more than 1*l.*, and generally only 15*s.*; in the superior courts they were never under 20*l.*, and if a trial took place they varied from 50*l.* to 100*l.* Under the civil bill process, too, the tenant could redeem within six months, by paying his rent and the costs; it was, therefore, of great importance to him, whether he could do it by paying his rent *plus* 15*s.* or 50*l.* As at present advised, then, he could not consent to the recommendation of the hon. and learned Member for Cork (Mr. O'Connell) to repeal the 56th George III.; he could only look for an amendment of the law of ejectment by other means. It now simply remained to explain the leading alterations he proposed. He would omit two or three points of detail, because they were purely of a legal and technical

character, and would be better explained hereafter by the Attorney General; but he could assure the House they were all in favour of the tenant. He would go to the main provisions of the Bill, one of which was, that the landlord should be bound to give the tenant the particulars of the demand made upon him when the ejectment was served, which was not the case at present; power was then given to the tenant to pay the sum mentioned in the demand either to the landlord or into court, as he might think fit, and to stop the ejectment at any time before the completion of the process, or before he was actually dispossessed. There was also another provision of considerable importance, having some bearing on transactions which had recently occurred, and had attracted much public notice. At present, if a landlord wished to eject a tenant holding immediately under himself, he was obliged also to serve notices on all the sub-tenants who held under the middleman. Every one who had at all attended to this subject would admit that a great deal of disturbance had been the consequence of this state of things. In this Bill a provision was introduced, enabling the landlord to eject the middleman without serving notices on the sub-tenants, who would stand precisely as before. This was a greater improvement in the law than would at first sight appear; and he hoped that even this single provision would prevent many of those scenes which had occurred in Ireland. He now came to the last of the three Bills, one for providing a form of lease of land; and he was sorry he should be obliged in some respects to alter the title of the Bill as given in the notice, because, when it came to be practically worked out, considerable difficulty was experienced in drawing up a "short" form of lease. The fault which he feared would be found with the draught of lease attached to the present Bill, was its length. But as it was desirable that facilities should be afforded for parties to write their own leases without the assistance of a solicitor, a form had been given in the Act. The stamp duties on leases had also been diminished, for the purpose of giving parties the option of using the form of lease in the Act, or one under Lord Brougham's Act of last Session, which was not so easily drawn up without the assistance of a solicitor; if either form of lease was not adopted *in toto*, of course the benefit offered in the reduction of stamp duty could not be given. He trusted the reduction of duty would not cause a loss to the revenue; and he expressed this hope, not for the sake of the revenue, but because the fact of there being no loss would be a guarantee that the practice of granting leases had been greatly extended. He had felt it impossible to introduce in either of these Bills any provisions for enforcing the granting of leases; but, having rejected compulsory provisions, he had felt it his duty to give every possible encouragement to the practice. For this purpose he proposed that the stamp duty should be diminished to 2*s.* 6*d.* on all leases for lands not exceeding 50*l.* rental. That, perhaps, might seem a high *maximum;* but it had been adopted in the Bill, after consultation with gentlemen of more practical knowledge of the subject than he possessed. He had been reminded that in stating the details of the first of the three Bills, he had omitted rather an important point. It would be obviously unjust not to limit the amount to which a tenant might expend money in improvements; he proposed, therefore, to limit the sum the tenant should expend in compulsory improvements to an amount not exceeding three years' rental of the occupation. He hoped he had not trespassed too long upon the House, or gone too minutely into the details of these measures; it was almost unavoidable; at the same time he hoped he had made them tolerably clear. He could assure the House he placed the Bills on the Table with some hopeful anticipations of the favour with which they would be received, though he did not anticipate he could meet the exaggerated wishes of parties either in one direction or the other. In framing these measures, his attention, during the short period he had held his present office, and that of his Colleagues, had been devoted to introducing a proposition which should alike regard the rights of the poor and the rights of the rich—the rights of property and the rights of labour. He hoped that object had been attained; at any rate, he trusted the House, when the Bills were printed and before them, would give them their candid consideration: by any premature expression of opinion on this occasion, perhaps the measure might be prejudiced; with only his imperfect explanation before them, hon. Members might condemn what they might hereafter approve, and parties might, in consequence, be indisposed to adopt the provisions, and look with jealousy upon these enactments. In conclusion, he would

say he should indeed rejoice if the House approved the measures he asked leave to introduce; he should still more rejoice if they were passed into laws; and he sincerely prayed that their results might conduce to the improvement, welfare, and prosperity of Ireland. The noble Lord moved for leave to bring in the first of the three Bills he had described, namely, a Bill for improving the relation of landlord and tenant in Ireland.

Mr. S. CRAWFORD, after alluding to the exertions he had made for ten years to effect similar improvements in the present law, and the little encouragement he had met with in doing so, said he was fully aware of the difficulties of the question, and hoped the noble Lord's Bills might effect the objects in view. He expressed the greatest satisfaction that the question had been taken up by the Government; though he could not go into the details, he rejoiced it had been submitted to Parliament with a chance of an equitable adjustment. He thought it was a great omission that the compensation to tenants did not apply to improvements already made, and only affected those improvements that might be made hereafter. Nor ought the amount to be limited to three years' rental of the holding. He had a tenant who, on a rental of 69*l.* a year, had made improvements worth 1,000*l.*; another with 29*l.* rent, to the amount of 400*l.*; and a third, with 31*l.* a year rent, also to 400*l.* On a property of eight tenants there had been improvements made to the amount of 4,050*l.*; under the Act he should be enabled to step in, and and obtain the whole of that amount for the three years' rental, or for 849*l.* He spoke of buildings alone; if he included improvements in the soil, they would amount to double that sum. Was it just or right that such persons should be left in his power to such an extent on the expiration of their leases? [An hon. Member: They are for ninety-nine years.] He spoke of a lease for ninety-nine years which was expiring. He thought also that those who had already made improvements ought to have some protection. He rejoiced, however, in the ameliorations proposed; he agreed that to place the power of ejectment by petty sessions under some limit and regulations, was better than abolishing it altogether; and concluded by stating that he should give the measures his support, taking the liberty at the same time of endeavouring to suggest improvements in them.

Mr. J. O'CONNELL said, as the Ministry had thought it necessary to avoid a bold and just course of action between the Irish landlords and their tenants, the present was the next best thing they could have done. If they had declined establishing a kind of tenant-right, they had shown an indication to do as much as the difficult circumstances of the case permitted.

Mr. B. OSBORNE would not go into any discussion of the Bills; but it would be unjust and ungenerous on his part towards the noble Lord, after the imputation he had thrown on him on a former evening, if he did not express his sense of the clear, able, and cheering statement the noble Lord had made on the present occasion. He could not agree with the hon. Member for Rochdale in his regret that the compensation to tenants was not retrospective. Many things built by tenants and considered improvements by them, were deemed anything but improvements by the landlords. It would be impossible, with satisfaction to both parties, to make the compensation retroactive; all they could look to was amelioration for the future. The alteration of the stamp duties would have a good moral effect, and insure a revenue also; for, in many cases, the tenant now declined taking a lease only upon the ground of expense. He tendered the noble Lord his thanks for his present proposition, and asked when the Bills would be printed?

The Earl of LINCOLN said, there were some alterations not yet drawn up in form, but they would be prepared, if possible, that night; the Bills would certainly be printed to-morrow.

Mr. SHAW congratulated the House on the unanimity which prevailed in giving a favourable reception to the Bills of the noble Lord the Secretary for Ireland. He would not say a word to disturb it. He had felt tempted to make a few observations on the speech of the hon. Gentleman the Member for Kilkenny (Mr. John O'Connell); but he thought it better, considering the good spirit in which that preliminary discussion had been conducted, that they should not then commit themselves to any differences: no one, of course, would be bound to particular details; but he did hope the measure would be generally safe and satisfactory, and that, in its future stages, it would be debated with the same good feeling and temper it had been that night. He wished his noble Friend (Lord Lincoln) joy of having had so much success

upon that one of his first attempts at Irish legislation; and that, moreover, upon the very intricate and delicate question of the relation between landlord and tenant.

MR. WYSE asked if any provision had been made for securing the tenant from paying his rent to the head landlord if the middleman failed, though he might have paid it already to the middleman himself?

The EARL of LINCOLN thought though the law was as the hon. Gentleman stated, that, practically, the case was not of frequent occurrence; that, however, was not a reason why they should not interfere with it. He had recommended the introduction of a provision on the subject; but it had been struck out on the advice of an eminent lawyer connected with Ireland; he could not tell exactly the reason why it was struck out; but he would ascertain before the next discussion what were the objections to it.

SIR R. FERGUSON said, there was an Act of Parliament passed eleven years ago, by which a person who obtained a verdict in such a case could recover what he had paid, and 10 per cent on the amount.

MR. P. SCROPE concurred in the approval that had been bestowed on the measures; but he should deceive the House if he led it to believe they would be sufficient. Nine persons out of ten who gave evidence before the Devon Commission understood by compensation to tenants, compensation for improvements already made, as well as for the future. Considering the enormous number of the tenant class in Ireland—upwards of 600,000—and that as a general rule all improvements were made by the tenant, he thought there would be very little satisfaction felt with it, unless the compensation was made retroactive. The late fatal affray at Birdhill arose from the refusal of a landlord to allow compensation for improvements to an outgoing tenant. That was only one case out of many. He believed it would readily be admitted that the rights of property in land were founded upon an assumption that the party who held the land, or those from whom he derived, had improved the land, and brought it out of a state of nature. Now, if the right of the landlord were founded upon the principle of improvement, how much more so were the rights of the tenant? With these observations, he should on the present occasion content himself; and he earnestly hoped that he had said nothing calculated to disturb the harmony which seemed to prevail in the House upon this most important matter.

Leave given.

PETITION OF JOHN DONOVAN.

SIR W. H. BARRON rose, pursuant to notice, for the purpose of bringing before the House the petition of John Donovan, an officer dismissed from the Customs; and likewise to move for a Committee to inquire into the case. The hon. Baronet was proceeding to state the circumstances under which the dismissal took place, when the House being counted there were only thirty-four Members present.

House adjourned at a quarter before Eight.

HOUSE OF LORDS,

Friday, June 12, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Burial Service.
2ª. Commons Inclosure Act Amendment.

PETITIONS PRESENTED. From Holywell, in favour of the Corn Importation and Customs Duties Bills. — From Ludlow, and other places, against the Corn Importation Bill.—From Selattyn, and other places, for Protection of the Agricultural Interest.—From Rhayader and Kilgerran, praying that Means may be provided for Extending Education to the Poorer Classes in Wales.

CORN IMPORTATION BILL—ADJOURNED DEBATE.

The Order of the Day for the Adjourned Debate on the Corn Importation Bill having been read,

The MARQUESS of EXETER said: My Lords, I rise to offer to your Lordships a few observations upon this important question, and to lay before your Lordships a few facts derived from private documents in regard to wages, which, I think, in addition to the able arguments brought forward by my noble Friends, ought to induce your Lordships either to reject this measure, or to render its provisions innocuous to the labouring classes. Before I proceed, however, I must express my regret at finding myself opposed to my Friend the noble Duke and his Colleagues; but, my Lords, we have each of us a duty to perform in this House to the Crown and to the country, which is paramount to every other consideration. I had hoped, before the second reading of this Bill, to have implored your Lordships not to abandon the opinions that you have so often expressed in favour of agricultural protection, and in regard to the necessity of protecting native industry, lest you should lose your high character as a legislative body, and show the country that you are but a passive instrument in the hands of a despotic Minister, who, hav-

ing changed his own opinions, has sent this measure up from the other House of Parliament by the aid of persons to whom, up to the present time, he has been diametrically opposed in principle; having so contrived to break up parties, that neither his late friends nor his former opponents have found themselves in a position to form a Government; although I believe that both at the present moment are more numerous than his own supporters. This fact ought, I think, to have induced your Lordships to have stopped this Bill at once, that a precedent might not be set which hereafter, if followed by any ambitious and designing Minister, might alike endanger the security of the Crown, as well as the independence of the country. Unfortunately, your Lordships have allowed this Bill to be read a second time; but how has it been carried? Not by any strong manifestation of feeling in this House or the country in its favour; not by any urgent arguments for its adoption; but by the sudden amalgamation of two parties of rival leaders who have been outbidding each other in liberality for the last fifteen years, aided by the deservedly invincible influence of the noble Duke, who having consented to remain a Member of the Government, has assisted in forcing this measure through the House. But what is the object of it? Why, under the plea of giving cheap food to the people. to subject the heavily-taxed producers and labourers of this country to a competition with the untaxed labour of other nations; to lower the agricultural interest by the removal of protection; and to set up the manufacturing interest as the predominant and fructifying interest of all others. It is difficult to account for this sudden change in the opinions of the author of this measure, unless he has been enamoured by the great wealth which has poured out of the manufacturing districts for the purpose of railways, or has been fascinated by the enormous sums subscribed for interfering with the elective franchise, and has conceived that if he could only divert some of this wealth into his Exchequer, he would, for the future, be free from all anxiety about the revenue. But, my Lords, I believe that he will find himself mistaken. He may have power to set up his idol and bow down to it; he may encourage the manufacturers to increase their production, and for a time, perhaps, all may appear to be going on prosperously; but when his Exchequer shall become deficient from the falling-off of the resources of the agriculturists, he will call in vain for gold from the manufacturing districts; and instead of gold he will find himself surrounded with masses of unsaleable cotton goods, which will be offered to him at reduced prices. Now, my Lords, before I proceed to the question of wages, I will just advert to the state of the country when this measure was first proposed; and I find that, under the old system of protection, which the noble Lord behind me sneered at last night, the country was in a prosperous condition: the agriculturists were just recovering from the effects of the last alteration in the Corn Laws; the labourers were receiving good wages, and in consequence of the demand of labour for railways were well employed; and the manufacturing districts were in a flourishing condition. There was nothing to be uneasy about at home, excepting a sudden disease amongst the potato crops, which threatened to occasion considerable distress in certain districts in Ireland, which it was quite right the Government should be prepared to alleviate, but which, in my opinion, was the very reason for not interfering with the Corn Laws, that the labourers in England, by a fall in prices might not also be reduced to a state of distress, by the want of employment. And what are the arguments by which it has been enforced? By exaggerated accounts of scarcity and famine, which have turned out fallacious, and which ought never to have been brought forward, when, through the bounty of Providence, there is grain enough in the country to feed the whole population, if they had but money to purchase it? And who are the persons by whom it has been brought forward? Why, Gentlemen who up to the present time have been warm advocates for protection. Who have told you that protection was necessary, on account of the heavy burdens upon land, on account of the large sums invested in the cultivation of the soil, and on account of the great distress it would occasion, by the displacement of labour, if protection were to be withdrawn; but who now turn round upon us, and, adopting the language of the Anti-Corn-Law League, tell us that protection is no longer politic, and that a tax upon food is unjust? Now, my Lords, I shall endeavour to prove the converse of this proposition; and the fairest way of doing it, I consider, will be to compare the charges imposed upon the country in the year 1792, with those of the last year. I fix upon that

period, as it is just before the commencement of the war of the French Revolution, which was followed by the war with Napoleon, which wars, though successful, have been the occasion of all our burdens; and if I should prove to your Lordships that the interest and charge on the funded debt is about three times greater now than in 1792; that the income and expenditure of the country is, with the charge of collection, three times as large at the present moment; that the poor rates and county rates have nearly increased threefold within that period; and that the excess of the amount of those three charges is about 43,000,000*l.* beyond the amount of those heads in 1792, I think I shall have made out a strong case in favour of the necessity of continuing protection to those who pay the greatest share of those burdens. But if, in addition to this, I shall prove to you that, though the population has doubled within that period, the average price of wheat for the last three years, commencing with 1792, is very little below the average of the last three years; that the duty imposed upon foreign wheat, in 1792, when the average was under 50*s.*, was 24*s.* per quarter, whilst the duty now, at the same average, is only 20*s.*; and, above all, if I shall show you that the burdens which your necessities oblige you to impose upon the country, compel the farmers, and all those who employ labour, to pay double the wages they did at that period (1792), though the price of corn is about equal; so that, supposing a farmer paid 400*l.* a year for labour in 1792, he now has to pay 800*l.* for the same number of persons; and that the wages of masons, carpenters, and all who are employed in labour, are also doubled—I think I shall have made out a case to show, not only that a tax upon foreign corn is just, but that it will be a gross act of injustice to pass this Bill, and to remove protection from agriculture, unless you first remove those burdens which press upon the industry of the country.

1792.		1846.	
Interest and Charge of National Debt.		Interest and Charge of National Debt.	
March 25	£9,426,858	To April 5	£27,788,836

Income and Expenditure.

1792.		1846.	
Income	£19,258,814	Income	£52,009,324
Expenditure	17,437,441	Expenditure	49,400,167

Poor Rate.

1785.		1845.	
(No account of 1792.)			
£2,167,750		Gross receipt	£7,009,511

Highway Rate.

1792	£218,185	1839	£1,169,891

Account of the Several Heads Together.

Income.

1792.		1846.	
Income	£19,258,814	Income	£52,009,324
Poor rate of 1785	2,167,750	Poor rate	7,009,511
Highway rate	218,815	Highway rate	1,169,891
Repayments, allowances, and drawbacks, say	1,300,000	Repayments, allowances, drawback, and other payments, as in 1842	4,626,126
	£22,944,749		£64,814,852
		Deduct Income of 1792	22,944,749
			£41,970,103

Expenditure.

1792.		1846.	
Expenditure	£17,437,441	Expenditure	£49,400,167
Poor rate, 1785	2,167,750	Poor rate	7,009,511
Highway rate	218,185	Highway Rate	1,169,891
Repayments, Drawbacks, &c. ...	1,300,000	Repayments, Drawbacks, &c. ...	4,626,126
	£21,123,376		£62,105,695
		Deduct Expenditure, 1792 ...	21,123,376
			£40,982,319

Excess of Income, Poor Rate, and Highway Rate in 1846, over the like charges in 1792	£41,970,103
Excess of Expenditure, with like charges, in 1846, over 1792	40,982,319

POPULATION.

1792.	1841.	1846.
9,200,000	18,664,761	20,000,000 (without Ireland).

Average Price of Wheat at Stamford in Years

1792	...	...	...	...	42*s.*	4*d*	
1793	...	...	...	...	48	6½	
1794	...	...	...	...	51	1¾	

Average of Three Years, 47*s.* 4¼*d.* per quarter.

General Average from 1790 to 1799, 55*s.* 11*d.*

Average Price of Wheat at Stamford in Years

1843	...	...	...	...	49*s.*	6*d.*	
1844	...	...	...	...	50	5¾	
1845	...	...	...	...	49	9½	

Average of Three Years, 49*s.* 1*d.* per quarter.

Average of Tithe Commutation from 1837 to 1846, 56*s.* 9¾*d.*

Average of last Three Years, 50*s.* 9*d.*

Duty on Wheat in 1792, under 51*s.*, 24*s.* 0*d.*

Duty on Wheat in 1846, under 50*s.*, 20*s.* 0*d.*

1792.

Average price of labour, for garden, park, and farm labourers, 6*s.* per week.

1846.

Average price of wages for garden, park, farm, &c. 12*s.* per week.

12*s.* per week having been the ruling wages since 1815, with very few exceptions.

It is evident from this statement, which I hope I have rendered intelligible, that the amount of wages depends more upon the burdens which press upon labour than upon the price of corn; for unless the labourer can obtain as much for his labour as will defray the expense of the taxed articles which he consumes, as well as to supply the other wants of his family, he is no longer in an independent condition, but is upon the verge of pauperism. Now, if this measure should pass, and the price of wheat and other grain should fall as much as we apprehend, how can the farmer pay the amount of wages to the labourer which the burden of taxation renders necessary? The thing will be impossible, and the result will be that the farmer, being in distress, will not be able to employ the labourer; and the independent and now happy labourer will become a broken-hearted pauper. It is unjust, therefore, to deprive the farmer and labourer of protection, unless you first diminish the burdens which press upon their industry. Either you should reduce the national debt in the same proportion which the repeal of the Corn Laws will diminish their incomes, or you should retain the Corn Laws to keep up their capital, so as to make the pressure of taxation less onerous. But this measure does neither, but will reduce the capital of the landed interest one-third, and thereby will augment the pressure of taxation upon the whole community. It may have the effect of lowering wages a little, which is the sole object of the League; but I deny that it will assist the manufacturer, for what he may gain in a foreign market he will sacrifice doubly in the home and colonial markets. The malt tax, the spirit duties, the duties on tea, sugar, tobacco, and hops, are the taxes which th emost press upon labour; but until you can reduce those and the national debt, which you cannot do till 1860, you have no right to take away protection from native industry. I cannot help expressing my great regret that many of the right rev. Prelates, for whom I have the highest respect, should have thought it their duty to vote for the second reading of this Bill. I had expected, as they are the only representatives of the Clergy, whose interests will suffer so extremely from this measure, that they would have opposed it as a measure most hurtful to the interests of the Church. My surprise is, that many of those who have been asserting the necessity of augmenting poorer livings, and using their best exertions to carry out the object of the present Commission, should have voted for a measure that must indisputably affect the incomes of the poorer Clergy, and stultify—such would be the effect—all they have been doing to augment them during the last few years. I can assure the right rev. Bench that their Clergy will feel their desertion most acutely. I had some conversation with several, in which I told them that I had heard reports that the Bishops intended to support the measure; but one and all declared they did not think the right rev. Bench would so betray their trust. Even now the incomes of many of the Clergy are so limited, that they cannot assist their parishioners as much as they desire to do; and if this Bill should unhappily pass, the calls upon them will be more numerous, and they will be less able to relieve them from their diminished resources. However, as your Lordships have, however unfortunately, allowed this Bill to pass the second reading, it remains for me to implore your Lordships so to reconsider this question and so alter this Bill when it shall get into the Committee, as may render it as little hurtful as possible to the country, if it shall not ultimately be rejected by

your Lordships. In order to do so, I will just advert to the period when this measure was first suggested—one of the most extraordinary features of which is, that it was proposed at a time when the country was in a state of great prosperity. I think I have now shown your Lordships that we have been living under a Constitution based upon agriculture, of which protection has hitherto been considered the vital principle. Under it our manufactures have flourished and increased beyond all expectation; and although our expenses have been enormous, we have been enabled to sustain public credit and to raise sufficient grain to feed our increasing population at as low a price before the burdens to which I have alluded were imposed upon the country. I think I may assert, therefore, that it has been based upon a proper foundation, for it has proved itself to be founded upon a rock. But this Bill proposes to us a new Constitution, of which the manufacturing interest is to be the foundation, and free trade its vital principle. It is to be supported by a theoretical increased supply and demand from foreign nations, aided by impoverished home and colonial demands. It may flourish in times of peace; but if war shall occur, being dependent upon foreign nations for the supply of food, it will be annihilated like a house built upon the seashore, for it will have no real foundation and no resources to sustain it. I trust, therefore, your Lordships will reject this Bill.

EARL DELAWARR assured their Lordships that he rose to address the House only from a pressing sense of public duty. From the first moment this measure was announced to the public, at the commencement of the present year, he, as an humble individual, yet as one who would be called upon to say aye or nay to this measure in his place in Parliament, foresaw that he would be placed in painful and difficult circumstances. He felt that on the one hand he should have to struggle with strong party and political attachments; and, on the other, with the stern requirements of public duty. He felt that on a question of this magnitude and importance—a question involving, he might say, fearful changes—changes, at least, in his mind, of fearful import to the best interests of the country—it was the duty of every man, and that every man was solemnly and seriously called upon to consult his own conscience before he determined upon the line of conduct he should pursue. He had struggled hard with his own humble opinions to see if he could bring them into harmony with those of the authors of the measure, hoping to avoid that which he conceived to be almost an unmitigated evil, namely, a separation from the political Friends with whom he had acted since he had the honour of a seat in that House. His course of conduct, also, involved the public situation which he had held; and great as was the honour of that station, he felt it was of very inferior value when compared to the marks of condescension which he had received from the highest quarters, and which he would not dare to allude to further than to express his deep and lasting gratitude. But, notwithstanding the consideration to which he had referred, he had been compelled to come to the conclusion that as an honest man he could not give his support to this measure. At that period of this protracted debate, it would ill become him to enter into detail, with a view to explain the process of thinking that had brought him to the conclusion at which he had arrived. It was sufficient to say, that he had given to the measure all the attention he could command—he had examined the arguments adduced by the supporters of this measure, and they had all failed to convince him that there was anything in the exigencies of the present time to call for it. No irresistible circumstances had suddenly come across them which rendered it necessary to change the current of their legislation. They were now told that it had been long running in the same course; but no necessity had arisen to induce them to raise up the remaining floodgates which had hitherto served to stem its too great impetuosity. He trusted it was unnecessary for him to say that he did not mean to cast anything like reproach on his right hon. Friend the right hon. Baronet in another place, or on the noble Duke (the Duke of Wellington), or on his noble Frends on the bench below him, in consequence of the course they had adopted. He was sure the right hon. Gentleman and those noble Lords had on this occasion been—as they always had been—actuated by an overpowering motive in doing that which they thought to be best for the interests of the country. He thought the course they had taken was a mistaken one; but he was convinced that they had adopted it and carried it out, so far as it had been carried out, with that sincerity and singleness of purpose which he trusted

they would give him credit for in the opposition which it was his misfortune to be compelled to give them on this measure. It had been said, what was the use of resisting this measure? — what could they hope to obtain by it? It was said that public opinion was in its favour; and, if it were not carried this year, it would be carried two or three years hence. Now, he begged leave, with all humility, to deny that assertion. He denied that public opinion was in favour of this measure. It was well known that a very large portion of those noble Lords in that House, and of hon. Gentlemen in the other House, who supported this measure, felt themselves very much dislike for it in its present shape. They had proof that a large number of their Lordships, and of the Members of the other House, disliked this measure altogether; and was it not fair to think that the same thing was going on out of doors? It was not fair, therefore, to say that public opinion was in favour of the measure. He doubted it very much; there was no proof of it; and he doubted very much if the opinions of the reflecting and well-disposed part of the public would be in favour of any change in the present circumstances of the country. They were told to consider the influence which the possible rejection of this measure might have on political parties in this country. That question was ably and eloquently put on the preceding night by a noble Baron who was not then in his place; and it was one of the unfortunate circumstances of the case that this question was presented to them. If they now did their duty, it struck him that they had only one course to pursue, and that was, to look at this measure plainly and simply as it was put to them. Let them deal with it openly, honestly, fairly, and without partiality. They might yet be able to cope with the difficulties by which he was willing to admit they were surrounded, and with the assistance of Divine Providence they would be successful. He had endeavoured to discharge the painful duty which he thought incumbent on him; for he thought that to have shrunk from doing so would have been to make shipwreck of his own conscience.

The BISHOP of ST. DAVID'S said, that anxious as he had been to say a few words before the debate came to a close, he assured their Lordships it was not because it ever was his intention to trouble their Lordships with any discussion of the general merits of the important question under their deliberation, or for the purpose of stating at large the grounds of his opinion on that question. He was quite aware that this subject was so alien to his ordinary studies and pursuits, that it was one on which he could have no claim whatever to their Lordships' attention. He was conscious that he possessed no authority whatever on it that could give the slightest weight to his opinion. He was also conscious that he was not able to adduce any facts or arguments upon it with which their Lordships were not familiar even to weariness and satiety. It was a different motive, and one of a very special, and, he thought, of a very reasonable kind, that had induced him to depart from his original intention, and break that silence which he had intended to preserve, and to solicit their Lordships' attention. It was a motive which compelled him, in a measure, to speak in his own defence; for their Lordships could not have forgotten, that, in the course of the recent discussion, very numerous appeals—most pointed, emphatic, solemn, and earnest appeals — were made by a great number of noble Lords— and he (the Bishop of St. David's) must be permitted to say, he thought in a very unusual strain—to those who occupied a place in that part of their Lordships' House. Their Lordships must be aware, as he was sure was every one of those to whom those appeals were addressed, that they were of such a nature as to involve very serious charges against that part of the Members of their Lordships' House in that place who held the opinions which he held, and had given a vote conformable to that which he had given on this question; charges amounting to nothing less than that of neglect of a duty which undoubtedly they ought to hold most sacred —an indifference to interests which ought to be most dear to them. Under these circumstances he was sure their Lordships would think that it was perfectly natural and proper that one of those to whom those appeals had been applied, should solicit their Lordships' attention for a short time, in order to meet those appeals, and vindicate himself and others from the imputations which were cast upon them. At the same time, he wished it to be understood, that, in the few remarks he was about to make on this point, he was speaking simply in his own name. He had not the presumption to stand forward in that place as the representative of others, many

of whom he saw near him, and who would be better able to discharge the duty than himself, and to whose more able hands, if he had observed in them any inclination to answer those appeals, he should have most gladly resigned this duty. But nevertheless he did venture to hope that, in the statement he was about to make on the subject, he would enjoy their unanimous concurrence, however they might differ from him on the general merits of the question before them. There was one thing in those appeals to the Episcopal Bench which he must acknowledge afforded him some satisfaction, and that was the circumstance that those appeals exclusively came from one quarter and from one party in their Lordships' House — they came exclusively from those noble Lords who were adverse to this measure now before them. That was a circumstance which afforded him an agreeable surprise, for the case might have been far otherwise; and, considering the arguments which their Lordships were all aware had been used on this subject in other assemblies, and addressed to excite the popular mind on this subject, he should not have been surprised if some appeals founded upon those arguments and topics had been addressed to the Members of that Bench in a different sense and for an opposite purpose. And he could not but express his surprise that those noble Lords who had indulged in these appeals did not consider, before they made them, that they were using weapons which might be employed as effectually by their opponents, and turned against themselves. He should not have been surprised if that Bench had been appealed to on principles of not merely public policy, but on principles of humanity, nay, of religion itself, and even texts of scripture brought against them to prove that it was their bounden duty not to lend their countenance to any law which had for its object to thwart the benevolent designs of Providence, by restricting the supply of food to the population of this country. That would be an appeal which they might find it difficult to answer. He could not say that they should attach any importance to such an argument, for he considered such an argument would be a gross fallacy; he admitted, however, the moderation exhibited by the noble Lords who were favourable to this measure, in refraining from such popular and specious topics. He held them to be fallacies, because it was quite clear that they took for granted the question at issue; that they supposed, not only that one view of the subject was the only right one, but that it was known and felt to be so by those who opposed it. There was another circumstance connected with the appeals to which he had referred that was deserving of attention: he really looked upon them as a very curious and remarkable feature in this debate. It appeared to him that in making these appeals the noble Lords who made them were acting a little inconsistently with their own professed principles. He would call their Lordships' recollection to the nature and circumstance of those appeals. They were called upon to recollect that they (the Bishops) were the natural representatives and guardians of the rights and interests of the Clergy; and on that ground it was urged upon them that it was their duty to give their vote against a measure which threatened to be injurious to their interests. But what was the language and what were the professions of the same noble Lords in other parts of their speeches and addresses to the House on this question? Did they not remember that every one of them in succession had most emphatically and indignantly repudiated the idea of treating this question as a landlords' question, or as a question at all affecting the peculiar interests of a class? Those noble Lords all stood forward as the advocates of the interests of the great masses of the community—as the friends of the labouring man; they cast away all considerations of private interest—all considerations affecting their own class and their own order in society. Why, then, how came it that it had escaped the observations of those noble Lords, that with regard to the Clergy they stood precisely in the same position. Their interests either coincided with those of the great mass of the community, or were distinct and separate from them. There was only one of those two cases that could be supposed; and for argument sake he was quite willing the noble Lords should choose whichever they liked. Let him suppose that the interests of the Clergy were identical with those of the great mass of the community. Then what occasion was there for bringing them into this discussion, or to appeal to them (the Bishops) as the representatives of their particular interests? It was clear that such an appeal was at all events superfluous; and when their Lordships considered the line of argument taken by those noble Lords, and what pictures they had drawn of the consequences to result from this

measure—when they represented it as pregnant with danger to the institutions of the country, as well as the interest and welfare of the labouring population, did it not border upon the ridiculous that they should place in juxtaposition anything so diminutive and insignificant as the effect this measure was to have on the interests of the Clergy? Were they to be told that they were bound to resist this measure, because it would lead to the overthrow of the Constitution and the ruin of the Empire, and also because it would produce a considerable reduction in tithes? They must recollect the vehement language in which they were addressed by one of those noble Lords, who held out some vague indefinite threat of the consequences that were to fall on the Members of that Bench if, as he said, they deserted, not the interests of the people or of the labouring population, not even the interests which might be expected to be so dear and sacred to them, considering the character in which they sat there; but, said the noble Lord, "if you desert us;"—if they did he did not know what retribution was to follow, and he did not care, but he wished to call their attention to what was probably passing in the noble Lord's mind. The noble Lord felt that whatever might be the consequences of it, it was not a question for the labouring class, or for the tenant-farmer, but that it was a landlords' question; and if it had been otherwise he was sure the noble Lord would never have addressed such an appeal to the Members of that Bench. There was another circumstance which struck him as being still more remarkable about these appeals, and that was, that noble Lords should express such sympathy for the interests of the Clergy. It appeared that they understood their wishes and feelings better than the Clergy did themselves; for not only had the Clergy as a body publicly expressed no feeling on the subject, not only had they abstained from approaching their Lordships' House by way of petition, but they had never professed to his knowledge an opinion in private on the subject, or given to the members of the Episcopal Bench even a hint as to the course of conduct they had desired them to pursue. And he considered that the Clergy by so doing had acted most wisely, and had earned the approbation and respect of all classes. What, he asked, was the tendency of the appeals which had been made to them by those noble Lords, except that they should by their voluntary officious interference place the Clergy in that very invidious position which they had voluntarily declined to stand in? He would like to know what any of those noble Lords conceived would have been the effect on the public mind, even if there had been a perfect unanimity on this subject, in every sense, amongst the members of that Bench —would there have been a second opinion in the mind of any man in the country that that part of their Lordships' House had been swayed not by their dispassionate and deliberate opinion, but by a sense of the interests of their peculiar class? He rejoiced that it was otherwise, proving that the Bishops, as a body, had followed their own convictions; and he might appeal, as a further confirmation, to the fact, that two of that body, united not only by their office but by ties of blood, took opposite sides on this question. A noble Duke who had spoken on the preceding night (the Duke of Buckingham) had stated, as the result of his calculation, the effect which would be produced on the interests of the Clergy if this measure passed into law. The noble Duke had calculated the matter so exactly, that he had found out that it would produce a diminution of their income amounting to one-fourth. He (the Bishop of St. David's) did not pretend to be able to follow that noble Duke in those calculations, or say whether there was any good foundation for them or not; but he must say the noble Duke had overlooked and taken out of the account everything in the shape of the compensation which the Clergy might receive to make up for this deficiency, in consequence of the effects which its advocates expected from this measure. That could not be fairly or reasonably left out of the account; and, moreover, he must be permitted to say, that whatever might be the consequences arising to the interests of the Clergy from this measure, he thought the bad effects could not be laid on this measure, but on one that had passed long before; for it was taking this measure in connexion with that for the commutation of tithe, that the interests of the Clergy were placed on a different footing from those of the other classes who were interested in land. But, if so, although it was possible that the Clergy might sustain loss, they could not say they suffered any injury; for that measure was undoubtedly passed with the concurrence of those who represented their interests in that House, and with full warning of the possibility, if not probability, that it would

be followed by the proposal now under consideration. Some of those who took part in the discussion of that measure, did distinctly advert to the possibility that at no distant period the repeal of the Corn Law would take place. He only alluded to that circumstance for one purpose, which was to show the uncertainty of all calculation of that nature; for those who adverted to that possibility did so, not because they conceived in case of the repeal of the Corn Laws the interests of the Clergy would be affected, but that that repeal would operate as a grievance and hardship to the owners of land. [The Duke of RICHMOND: Oh, oh!] He did not know what the noble Duke meant by that intimation; but, on reference to the best accounts that could be found of the proceedings of Parliament during that discussion, he found the circumstance had occurred to which he adverted. He felt that the vote they should give on this question should not be in the slightest degree affected by its operation on the interests of the Clergy. If he met a body of his Clergy, after the close of this discussion, and said to them, "I think I merit your approbation, for though, according to my own convictions, I thought the measure was likely to tend to the general interests of the community, still, as I thought it would operate injuriously to yours, I complied with the earnest exhortation I received from many of your best friends in the House of Lords by giving my vote against it"—he (the Bishop of St. David's) was sure, that if he were capable of such dishonesty, so far from earning the good will, and thanks, and support of the Clergy, he would be undeserving of the good opinion of any man in the country. He could not consent to place such a momentous question as this upon any such narrow, paltry, and miserable ground, as its effect upon any particular class, however closely he was connected with it. There was only one way in which he could consent to look upon it, and that was the effect it was likely to have on the comfort, and well-being, and prosperity of the great mass of the community. Looking at it in that point of view, he asked those noble Lords whether or not it was their intention to represent that the state of the gross mass of the labouring population of the country was on the whole so satisfactory, that it did not stand in need of any change? He thought expressions had been used which seemed to his ear very strongly to put forward such a notion; and yet when he reflected upon all he saw, it appeared to him so monstrous a paradox that he scrupled to attribute it to the good sense or good feeling of any of their Lordships. There could be no doubt that, if this measure was, as it had been described, a great and fearful experiment, at all events it was not a gratuitous and wanton one. Gratuitous and unnecessary it might be with reference to the case of those noble Lords, and the class immediately below them, the occupiers of their land, who might have no desire for any uncertain or perilous change; but with regard to the interests those noble Lords most particularly professed to advocate, he must contend that this was far from a gratuitous experiment; that it was one forced upon Parliament by the emergencies and necessities of the case; and that the question was one of life or death to the people of this country. To his own mind it was the great recommendation of the measure, that at all events it held out that which was the sweetener of all human adversity and misery—hope—the hope of an improvement in the condition of the people. If their Lordships rejected this experiment, and declared their determination to abide by the system advocated by the noble Lords to whom he had referred, what had they to hold out in exchange? What prospect of improvement did they present? None. It was a natural and inevitable consequence of their principles, that they should more or less directly, openly or covertly, deny the existence of the need of such improvement. They had been reminded occasionally in the course of this discussion of the consequences likely to ensue from the rejection of this measure; and they had been reminded of what he believed was an unquestionable fact, that such a step on their part would be likely to produce a very great degree of disappointment, and discontent, and irritation in the country. That was a topic he should be most unwilling to touch for the purpose of, in the slightest degree, influencing their Lordships; but he thought there was one thing which deserved their Lordships' most serious attention in the matter, namely, the reason why the rejection of this measure was likely to produce discontent and irritation, Was it not simply this, that the country at large and the labouring population felt that if their Lordships rejected this measure, they were excluding them from the only hope they had at present to look to for a favourable change in their position? That was a consideration which

he felt to be worthy of the attention of their Lordships' House, and they should most seriously and carefully dwell on it before they made up their minds to take a step that would produce such a feeling in the public mind. He did not mean to say that although he looked to this measure with hopeful expectation, he expected very great advantage from it. He repeated, his expectations of benefit from this measure were by no means sanguine; and if the Government had represented it in the light in which it had been placed by many popular declaimers on the subject, who described it as the beginning of a new epoch of unbounded prosperity in the country, he would have viewed the measure with the greatest distrust; but his feeling of confidence in the measure of the Government was very much strengthened by the sobriety and the caution of the language they had used in expressing the expectations they felt on the subject. They contented themselves with saying that the effect of this measure would be to produce an increased steadiness in the market—a constant and more regular employment of the labouring man—that it would give an active stimulus to trade, and also a considerable and healthy stimulus to agriculture itself. But with all that, he was quite sure it would be unreasonable to expect that they could at the same time promote the great interests of the manufacturing classes of this country, and also any very considerable advantage or addition to the comforts and enjoyments of the labouring man. But still although he did not anticipate to a great extent such results, yet however small they might be, however small might be the addition made to the means of subsistence enjoyed by the labouring man, still it became a matter of very grave importance when they considered the vast surface over which that benefit was spread, and the immense number who would participate in it. He was not sure that all their Lordships were fully aware of the importance of the addition that was made to the comfort and happiness of the labouring population by a very minute addition to their means. And here he would be allowed to advert to a little circumstance connected with this part of the subject, and illustrative of the habits and feelings of the poorer classes. He was sure that he would be borne out by the experience of any person who had anything to do with the education of the poor, when he said that no cause was more frequently assigned by them as a reason for their being unable to take advantage of the means of education and instruction offered to them, than the misery of their physical condition. Often, in localities where there were excellent Sunday schools and places of worship, they found a poor family, a swarm of ragged children playing about in the streets all Sunday; and if the question was put, why this was so, the answer of the parents almost invariably was, that they could not send their children to church or school because they had not decent clothing to appear in. If these poor people had but a little surplus, however small, of the share which they received of the produce of the soil which they cultivated, to send to the manufacturer and exchange for decent articles of clothing, such an addition to their means would confer an inestimable blessing, as it would afford them means of educating their children, and improving their morals and religious condition. There was another point of view in which he must be allowed to consider the subject. He had heard noble Lords speak of this measure as a wanton and gratuitous experiment, because it was not positively certain what amount of benefit was to be derived from it. Though that might be a fair consideration for those who had to bear the whole responsibility of introducing it, it was no argument against the measure which ought to operate on their Lordships' minds; because, even if no benefit whatever of the kind he had adverted to, should result from this measure —if he was sure that it would leave the country precisely where he found it, still he would contend that, by rejecting the Bill, their Lordships would be incurring imminent danger, and would be altering their own position in the country in the most hazardous degree. It would still be no contemptible gain for their Lordships to release themselves from the obloquy and suspicion of having rejected such a measure, and refused to make such an experiment from selfish and interested motives. No doubt their Lordships might be fully conscious of the purity of their own intentions; but they must recollect that a very different view of this great question would be entertained throughout the country, and that their conduct would be liable to a very different construction out of doors. He could not help, therefore, reminding the noble Earl who spoke last night, and adverted to what he deemed the extraordinary fact of a measure of this importance being passed through their Lordships'

House on the first occasion on which it was brought before it, and reminded their Lordships how differently they had dealt with another great question, on which they had at first disagreed with the other House of Parliament, but at length acceded to its views—he alluded to the Catholic Relief Bill—he could not help reminding the noble Earl that there was a very wide difference between the two cases, which the noble Earl appeared to have overlooked. In the question of the Roman Catholic Relief Bill, it was possible that their Lordships might have been charged with short-sighted prejudice in rejecting it; but there was not, there could not, have been any suspicion that their Lordships were actuated by personal interest. Could there be a more glaring contrast than that which existed in this respect between the two cases which had thus been brought into comparison by the noble Earl? Now, although he did not entertain any exaggerated expectation of the benefits to be derived from the operation of this measure—although he had endeavoured to modify and limit those expectations where they were entertained; yet he did entertain a very strong and active belief that at all events the expectations which had been held out on the other side, the evil consequences which had been predicted, had been enormously exaggerated. He expected no consequences from the measure of a sinister character; but, at any rate, those who had threatened them with disastrous results had entirely overlooked all the compensation which might be made, and which, indeed, would spring from the very nature of the measure, for any incidental evils which might accompany it. Those persons had taken it for granted that the Legislature, if it passed this measure, would be divesting itself of the power of which it was possessed of interposing for the purpose of redressing, and reforming, and correcting any injustice or inconvenience which experience might show had resulted from this measure. It was quite certain that Parliament did not abdicate such a power: it did not preclude itself from receiving the lessons of experience, and adopting such legislative amendments as it might find necessary at future periods to pass. For himself, he placed unbounded confidence in the wisdom of Parliament; and he believed that if the result of this measure should prove unfair or injurious to any particular class of men, it would be found not beyond the reach of the wisdom and justice of the Legislature to provide a fitting remedy. Therefore it was that he did feel on every ground that in the vote which he had given, and in that which he was about to give, he was not betraying any of those interests which ought to be dear to him; while at the same time he had consulted, to the best of his poor ability, the highest interests of the great mass of the community. At all events it was a great consolation to him to reflect that in the vote which he had given, he found himself coinciding with the result of the most anxious and careful studies which had been bestowed upon the subject by men who had devoted the labour of their lives to it; it was a consolation that he found himself coinciding with the great majority of all the parties between which the Legislature had hitherto been divided. He could not believe that in sharing their opinions, he had fallen into any very great, very serious, or, at all events, very fatal error. Sure he was, too, that he should enjoy this consolation, that whatever might be the result of this measure to those interests which considered themselves attacked by it—and particularly to that interest the representatives of which he was addressing—still they would by passing this Bill, retain something more valuable still than that which they conceived endangered—namely, increased respect, good will, and kindness from the great majority of the people.

The BISHOP of EXETER said, he had not the least intention of addressing their Lordships that evening, nor would he have done so now, had it not been for the almost individual appeal which had been made to him by the right rev. Prelate who had just sat down. That right rev. Prelate had called upon those Bishops who differed from the vote which he was about to give, as well as those Bishops who voted along with him, to agree with him in a portion of the speech which he had just delivered to their Lordships. In that speech he (the Bishop of Exeter) had heard something in which he could cordially concur, and he had also heard many things from which he was bound to say he decidedly dissented. He agreed with the right rev. Prelate cordially in all the praise he had given to the Clergy for the way in which they had acted in the contemplation of those great sacrifices which were, in all probability, about to be inflicted upon them. But he could not agree with the right rev. Prelate that it would be right in them to be regardless of the interests of that class of the community. He was sure

the right rev. Prelate did not mean to say that they ought to be regardless of their interests; he certainly used phrases which were a little too strong; but he (the Bishop of Exeter) was confident they did not do justice to his own feelings. The right rev. Prelate said, that he would not put into competition with the great interests of the country, the smaller, and insignificant, and miserable interests of that class to which he had alluded. [*The Bishop of St. David's rose to explain.*] The right rev. Prelate would have an opportunity of offering an explanation afterwards; but if he would permit him to go on, he thought his right rev. Friend would feel the truth of what he was about to say. He was about to state, that his right rev. Friend had used certain words which he knew were not intended by his right rev. Friend to convey their full meaning, which, however, they would convey to the ears of all that heard them. He thought his right rev. Friend mistook the nature of the argument which noble Lords had addressed to the Episcopal Bench, when they called upon them to interpose on behalf of the interests of the Clergy of this country. It was not because the pecuniary interests of 10,000 or 12,000 individuals would be deranged—though those persons were, from their position, of deep importance to the community—by the passing of this measure, that noble Lords addressed them; but because the best interests of the poor were at stake on the matter—the interests of religion and morality—and because the interests of the poor and of the rich alike would suffer, if their position, their independent position, as far as that consisted in the temporalities of the Church, was in any degree shaken. It was upon that ground, he understood, that noble Lords had so frequently appealed to that Bench, calling upon them to interpose. He thanked them for those appeals. He did not agree with his right rev. Friend in thinking that it was unfit for their Lordships to call upon that Bench to interpose in behalf of those interests which they were specially bound to protect from invasion, whenever they were threatened by any measure proposed in that House. He rejoiced that it was the practice of their Lordships to call upon that Bench to defend those interests. They were in the habit constantly and continually—he spoke now from the experience of many years—they were in the habit of constantly appealing to that Bench to interpose for the protection of higher interests than those of individuals—the sacred interests of morality and religion. He thanked noble Lords, therefore, who were in the habit of making those appeals to them upon the special interests which they sat there to defend; and he would repeat that nothing was more common. He was sure that if it was an offence, it was an offence of which he had himself been guilty more than once, for he had frequently taken occasion to call upon the noble and learned Lords in that House, in cases where the laws and Constitution of the country were endangered—he had taken the liberty, and he was sure that in so doing he acted in the spirit of the Constitution, of calling upon them to protect the laws and Constitution of the country; and if he had the right to address noble and learned Lords upon those points, he thought that all noble Lords had the same right to address the Bishops who sat in that House, in defence of those claims which they (the Bishops) were specially bound to protect. He had done with that part of the subject. He certainly agreed with his right rev. Friend in this, that he for one was not disposed to rest upon the way in which this Bill would affect the interests of the Clergy—he would not rest upon that as his main argument in this case; but they would permit him to say, that he considered it, though a subsidiary argument, as one of no mean moment, in judging of this measure. He, like his right rev. Friend, would not for a moment put any temporal interest in competition with the great question of plenty, or cheapness of provisions in the land. If mere cheapness of provisions was the only question now before their Lordships' House, it was one which in all probability would admit of a tolerably easy solution. But the question which he had to ask—he was not capable of dealing with it as a political economist, for of political economy he was altogether ignorant; but dealing with the question as a man of plain understanding and of ordinary observation, he would ask, would cheapness of provisions be a great good to the mass of the people in this country? If he thought so, he should have voted very differently from what he did on the last occasion; for he considered it to be the duty of their Lordships to view the question of cheap bread as it concerned the interest of the great masses of the people, and not as it affected special classes. He had, therefore, heartily joined in resisting this measure which was before their Lordships; and he had done so the

more especially for the sake of the people. He was not to be repelled by the jests almost which had been thrown out, of supposing that none could be truly the labourers' friends except those who supported this measure, and that it was pure hypocrisy to talk otherwise; he would not be deterred by that from avowing frankly his chief reason for resisting this Bill. It was that he did not consider the interests of the labouring poor would be promoted by cheap provisions so much as by good wages. That applied to all classes of the labouring poor. His own personal experience and observation, indeed, were almost entirely limited to agriculture. He saw the agricultural labourer now suffering under a great deficiency of wages through a large portion of the county with which he was connected. Then, he asked the House, what would be the best way to increase this rate of wages, and to improve the condition of the agricultural labourer? Would it be by letting into the market of this country the labour of foreign countries? Could they be gravely told, that the true way to raise the wages of the labourers of England would be to bring them into competition with the serfs of Poland? In his opinion, that was not the right course; his opinion certainly was, that the more they introduced foreign labour, the more they interfered with the wages of the domestic labourer. That, he said, was the main reason why he opposed this measure. Agreeing, as he did, most heartily with his right rev. Friend, in not expecting any great advantage from this measure, even if it attained the utmost success that could be imagined; and believing that it was fraught with bitter disappointment, he could not give an opinion with those who pressed it upon their Lordships to adopt this measure. Even if he thought with his right rev. Friend that there was a chance of some benefit being derived from this measure, still he would hesitate long before he would endanger the peace and tranquillity of the country by holding out hopes from the passing of this Bill, which in the nature of things could not be realized—which his right rev. Friend himself did not think would be realized, for he stated that he did not anticipate much benefit from it. But his right rev. Friend had addressed to their Lordships some observations with respect to the position in which they would stand after giving this vote. He stated that their position would be an invidious one, because if they happened to vote different from himself, it would be against the general feeling of the people. That he did not believe. His own experience in the county in which he lived was decidedly otherwise: the feelings of the people there were all the other way; but his was an agricultural county, and public feeling might be otherwise elsewhere. But his right rev. Friend also said, that the great majority of the authorities of all the parties in either House of Parliament were in favour of this measure. If he thought so—if he could see in the conduct of those parties sufficient reason to justify him in believing what his right rev. Friend said—he should certainly have distrusted the soundness of his own judgment; but his belief being that the feelings of all parties with regard to the measure were very different from those of approbation, he had the greater confidence in the conclusion at which he had arrived. He grounded this opinion on the repeated and solemn declarations of noble Lords and right hon. Gentlemen on this subject. He would not enter into the question of inconsistency—he was dealing simply with the argument that from these speeches of those parties it was plain that the understandings and the hearts of the great majority of them were against this measure; and if he could presume to follow the example which had been set, of appealing to other portions of the House, he would call upon their Lordships, in the vote which they were about to give, to give their votes as they would do on any judicial question which might come before them—to lay their hand upon their heart, and say, "Content," or "Not content, upon my honour."

The BISHOP of ST. DAVID'S said his right rev. Friend had misconceived what he had said, and had applied to the interests of the Clergy epithets which he (the Bishop of St. David's) had connected with a different topic. He believed he was correct in saying that the observation he had made was, that he could not consent to consider so vast, so vital, and so momentous a question as this, upon a ground so paltry, and miserable, and insignificant as that of respect for the interests of any particular class; and he must leave their Lordships to determine whether that language indicated any degree of disregard or indifference to the rights and true interests of the Clergy. His right rev. Friend had also misunderstood him on another point. The right rev. Prelate had conceived that he (the Bishop of St. Da-

vid's) had made an admission unfavourable to his own case, in stating that he did not expect any great advantages to result from this measure; but his right rev. Friend overlooked the distinction he had attempted to draw. He (the Bishop of St. David's) admitted that in one point of view — arithmetically — the advantages which would result from the measure might not be very great; but he had attempted to show why that which was in other respects trifling might nevertheless be of immense importance to the improvement of the religious, moral, and physical condition of the people.

The EARL of WARWICK said, that, after anxious and careful deliberation on this subject, he had come to the conclusion that it was impossible for him to say "Content" to the present Bill. He could not conceive the necessity for it; and everybody in the country was asking, "Could trade be more flourishing? could agriculture be in a more satisfactory condition?" and this opinion was also entertained by those persons in the country with whom he had had any communication on the subject. In Heaven's name, then, why was this Bill brought forward? If it were an experiment, he agreed with one of the wisest of men, who said "It is not good to try experiments with States, unless the necessity is urgent, and the utility evident." It could not be the high price of corn that had rendered it necessary; for although Sir R. Peel had told them that he wished to secure to the farmers by the present law the price of 56*s.* a quarter, the price of wheat had been as low as 50*s.* a quarter. Was it, then, agitation which had induced the Government to bring it forward? Why, the agitation on this question was that of a class only, or rather of a part of a class, for it was an agitation solely of the millowners: it had not been joined in by the working classes in the manufacturing districts. The agitation in favour of this measure had been as blasphemous and wicked as any agitation of which he had ever heard; and to show that this was the case, he would read one out of numerous documents which he held in his hand, and which had been issued by the council of the National Anti-Corn-Law League. It was a card which he had received from the office of the "National Anti-Corn-Law League," which he had kept as a curiosity. This card was addressed to the electors of the United Kingdom generally; and it informed them "that, as intrusted with the privilege of choosing their lawgivers, upon their right or wrong exercise of it depended the happiness or misery of millions of their fellow creatures." That "at the next election they would have to choose between a bread-taxer and a free-trader, and that this choice involved an awful responsibility." It told them, therefore, that "it behoved them to look solemnly before they decided, and to remember that plenty or scarcity, and even life or death to thousands of immortal souls, depended upon their decision, and that they would hereafter be called upon to account for it at that dread tribunal where all mankind would be judged, not by their professions, but by their actions." He (the Earl of Warwick) was at a loss to know how this Bill could possibly be carried; for few noble Lords on either side approved of it altogether, and consequently if all voted as they thought respecting it, it would be rejected by a large majority. In conclusion, the noble Earl said that he had supported the Government as long as he could conscientiously do so; but on this question he felt compelled to vote decidedly against them.

The BISHOP of OXFORD: My Lords, after what has fallen from my right rev. Friend, who sits behind me (the Bishop of Exeter), and from many noble Lords, in the course of this debate, I feel it necessary, holding the opinions I entertain, and being prepared to record a vote similar to that which I have before given on this question, to trouble your Lordships with a very few remarks, explanatory of the reasons which have induced me to vote as I did upon that occasion, and as I mean to do on this. My right rev. Friend (the Bishop of Exeter) expressed great gratification at the appeals which have been made to himself and to other right rev. Prelates on this occasion; and he gave a version of those appeals marked, I may venture to say, with singular skill and subtlety. He said—

"We occupy these benches under peculiar circumstances; we are, as it were, authorities upon morals and religion; and, therefore, noble Lords, anxious to be right upon matters of morality and religion, naturally appeal to us, and ask for our opinion in questions involving those matters. When I require an authoritative statement on legal subjects, I address myself to the noble and learned Lords who sit in this House; and I am sure to have responses worthy of the grave personages by whom they are delivered. I certainly never put questions in order to puzzle or entrap them; and I am always willing to bow to the decisions which they express. Of appeals, in like manner, to the Episcopal Bench, connected with

subjects of morality and religion, I shall always be a ready and a willing auditor."

Now, my Lords, I admit at once the propriety of appealing to my right rev. Brethren as authorities upon subjects of morality and religion. I cannot say, however, that such is the character of a great part of the appeals which have been made to my right rev. Brethren upon this occasion. For the justice of this observation, I think I may safely appeal to your Lordships. What was the tenor of the argument used by the noble Marquess who began the debate this evening? He said, that the Legislature has been for some time devising schemes to raise the incomes of the Clergy; but that the effect of the present Bill will be to diminish those incomes. Is that an appeal to those moral and religious principles which we sit here to advocate and maintain? Is this one of the appeals which my right rev. Friend behind me welcomes with such ecstatic pleasure? And if I turn from this night to those in which the previous stages of this Bill were discussed, what are the appeals which I find to have been made? Perhaps it is in the recollection of your Lordships, as it certainly is in my painful recollection, what language a noble Earl (Earl of Malmesbury) allowed himself to use in addressing the Bench on which I have the honour of sitting. The noble Earl began by making a most erroneous assumption, and stated that the estates of the English Bishops had been commuted for a fixed money payment—a statement which is utterly fallacious and inconsistent with the truth. Proceeding upon this assumption, the noble Earl reminded my right rev. Brethren that their interests were now separated from those of the parochial Clergy, and that the Bill which would lower the incomes of the parochial Clergy, would benefit the occupants of the Episcopal Bench, because their incomes being fixed in amount, they would get the necessaries and luxuries of life cheaper than they did before. The noble Earl told my right rev. Brethren that in voting for this Bill, therefore, they were giving a sordid support to their own interests. I will ask my right rev. Friend behind me whether this peculiar appeal came home to his mind with comfort and delight? I cannot admit that the conduct of the Episcopal Bench, upon this occasion, ought to be regulated by the effect which they believe the measure likely to produce upon the interests of the class to which they themselves belong. My Lords, in my judgment, such appeals as these are not only improper, they are utterly unconstitutional. We do not sit here to represent a particular class; and to suppose that we do so is destructive of all sound constitutional principle. Into the House of Lords are infused members drawn from every profession and rank in society, and so it is composed of those who, by hereditary descent, and those who, by the favour of the Sovereign, sit here to represent, not the interests of the class in which they were born, but the interests of all classes of the community. If it were not so, the Prelates ought not to be called upon to give their opinions and voices upon any measure which does not affect the Clergy; and I am sure that my right rev. Friend behind me would be among the last to welcome any such notion. I cannot, therefore, welcome an appeal addressed to us as if we sat here to consider what is best for the Clergy, instead of what is best for the country. In saying so, I do not mean to disparage or underrate the importance of maintaining a due provision for the Clergy; but then it is because I am convinced that the best interests of the country are inseparably connected with the existence of such a provision, that I am an advocate for placing the Establishment on a sure and safe foundation. One noble Earl (the Earl of Winchilsea) who addressed the House the other night, told us that we were going to do something which would be fatal to the country, and that we ought not to do so. There was only one thing lacking in that address, and that was the faintest shadow of a reason for the statement that we were going to ruin the country. I feel that it behoves me, with such faculties as God has given me, to take as correct a view as I can of the probable results of the measure, and then to follow up my conclusions by my vote. I shall not follow the example of the right rev. Prelate in disclaiming all knowledge of political economy, because some slight knowledge of political economy is necessary for the consideration of this subject; and if the right rev. Prelate says he has none, he puts himself out of the condition of the argument. I would rather suppose that he said this out of modesty, because the right rev. Prelate is a very judge and master in all other matters which come before him in his legislative capacity; and of this whole matter the very alphabet is to be found in the science of political economy. On the surest principles of political economy, so far as I have been able to under-

stand them, I approve of this measure. It is, I admit, an experiment; but when was there ever any new measure deserving to be called great which was not an experiment? All legislation is but a series of experiments. You meet a certain evil by the tentative remedy which promises to embrace the greatest probable amount of good. I look at this question, my Lords, chiefly as affecting the position and habits of the labouring classes. Noble Lords who have opposed this Bill have been but too happy to appear as the labourers' advocates; but I cannot allow them to occupy that position. The present law, with regard to the importation of corn, must be admitted to be an unnatural state of things. [*Cries of* "No, no!" *from the cross benches.*] Do noble Lords who cry "No, no!" know the meaning of the term "natural?" In the providence of God and by the order of nature, wheat grows in the field; it is fed by the dew and ripened by the sun, God working through certain known laws. And does any one believe that the principle of the poor not being allowed to purchase bread on the cheapest terms is to be set down as part of the economy of nature, and the arrangements of Divine Providence? I said that the present state of things is an unnatural arrangement—it may be a necessary, but most assuredly it is not a natural arrangement. Legislation, for the most part, is an interference with nature; good legislation is a necessary interference with nature; but where it is shown to be a needless interference, it is bad. The legislation which follows nature—which as little as possible interferes with and interrupts the blessings and benefits of nature, is the legislation which is alone good. By our present legislation, the labourer is prevented from being that important element in society which he will be under the operation of the proposed measure. The effect of the introduction of foreign corn will be the introduction of competition. [The Duke of RICHMOND: Competition with foreign labour!] Let it be so; for what is it then which makes a man of value in a life of labour? It is the amount of competition he has to strive against. Be he farmer or be he labourer, what is it that makes him important and valuable to those above him? It is competition which fixes the measure of his value; and, unless by the competition of the foreign labourer with our own, he will never be raised to his due position. The noble Duke smiles. It is agreeable to see a person in a matter affecting his own personal feelings smile rather than be angry; but I do not forget that I am met by a smile instead of by an argument—by a laugh instead of an answer—and I shall go on through the chain of reasoning I was about to enter upon, although the noble Duke's laugh should increase to the highest degree of cachinnation. My Lords, in the woollen manufacture, as long as there was no room for competition with foreigners, there was no room for skill; but when competition came in, it became worth the while of the manufacturers to create a better class of labourers. So it will be found that competition generally both requires and makes it worth while to employ a better class of labourers. As long as the growth of our fields is protected by legislative enactments, the grossest form of unskilled labour will be sufficient to enable the labourer to earn his bread, and the farmer to pay his rent. But when you admit foreign corn, the result will be that the owners and holders and tillers of the soil will all suffer if they make no change in their mode of cultivation. Self-interest here steps in, and when they cannot look to the Legislature to protect them, they are compelled to protect themselves, by using the advantages which they possess. The farmers of this country must make an acre of land produce corn in greater quantity. [*An ironical cheer from the Duke of Richmond.*] So completely has the protectionist principle entered into the heart of the noble Duke, that his very faith in the improvement of English agriculture itself has been eaten out by it. The noble Duke cheered as if it was most incredible; but I tell him that English agriculture is capable of large improvement.

The DUKE of RICHMOND said, that the whole course of his life contradicted this opinion. He had always urged the English farmer to increase his produce as much as possible.

The BISHOP of OXFORD: I was not speaking of the whole course of the noble Duke's life, but of the sound of his voice. If the noble Duke, instead of putting his remarks in a shape in which they can be readily understood and answered, contents himself with making sounds, articulate perhaps, but certainly of a very doubtful and easily mistakeable nature, he must pardon me if I mistake what those sounds express. Will the noble Duke, will any

one say, that the introduction of a better sort of agricultural husbandry will not bring in an increase of cattle feeding, and that it will not be attended by a greater demand for labour; and of labour admitting of far greater degrees of skill than now is possible? Again, let noble Lords remember that this measure is proposed to us, not by some unsettled political spectator, but by the only two great parties who, as parties, can conduct the government of the country; and in saying this, I am far from saying that I vote for this measure to keep the right hon. Baronet in power. There is an essential difference between supporting a Government, and supporting the present Government. The one is a lawful, and the other an unlawful and treacherous motive. But noble Lords who oppose this measure, appear to me to be continually putting forward self-contradictory assertions and arguments. They say, for example, that we do not give a free vote on a great constitutional question, because we are biassed by a desire to keep the right hon. Baronet in power; and yet they say that we do not ourselves believe that it will have the effect of keeping him in power. Then, again, it is said, that Her Majesty's Government have brought forward this measure on account of a certain agitation and clamour, and the noble Duke cheers me. But then he says further, that this agitation and clamour have been caused by the League; and here again is the same contradiction, for if granted to a pressure from without, it cannot be granted to the League. Has the noble Duke read so little of constitutional history and of the proceedings of this House as to tell me that the League, though they may have raised a large sum of money, ought to be spoken of as a body which the House of Lords need dread? No. The great consideration which gives the League power and influence is this, that the great mass of the thinking men in this country are with the League. And when they speak to us of yielding this measure to a pressure from without, it shows that in the depth of their hearts, and in the centre of their convictions, noble Lords suspect that the opinions of the people accord with this agitation; and they know that then and not otherwise such an agitation becomes fearful. Would the machinery of the League terrify this House, if their objects did not come home to the sympathies of the people? If the League had double their actual funds, and proposed the repeal for instance of the Reform Bill, that agitation would not be dreaded by your Lordships, because there is nothing in the great mass of the English people to answer to such an appeal. The secret, my Lords, is, that in the thinking mind of England, and the feeling heart of England, the opinions of the League are sympathized with; and this is why noble Lords are roused by what they call agitation and clamour. They perceive that there is this feeling risen and rising. They feel that the minds of men have undergone a change, and are ready to support a Government which proposes a measure in conformity with that change. Again, the condition of the working Clergy has been referred to, as it will be affected by this Bill. My Lords, I know no class of persons who encounter more hardships and make great sacrifices more cheerfully than the working Clergy. I have lived too long amongst them not to know this well. I believe that in many cases a reduction in their incomes will be a reduction not merely in their luxuries, but in many cases in the essential necessaries of life. But it is a striking circumstance that the Clergy have not raised their voices anywhere in support of the Corn Laws. This has not been from want of invitation, for they have been invited to throw themselves into the battle, with the promise that they would be covered by the capacious shields of their defenders. But they would not respond to the invitation; not because they fear to oppose the Government, for the Table of this House has been covered with petitions against a Bill for the union of the sees of Bangor and St. Asaph, supposed to be especially dear to the leading mind of the Government; because when they did indeed believe that a great national principle was at stake, they were the first and most numerous in coming forward with their addresses to your Lordships; but in this other case, although they suspect that they themselves may be injured—for I admit so much—yet, because they consider that they have no grounds of justice upon which to withstand this measure, they have been altogether silent. I say grounds of justice, because I very much desire that your Lordships should distinctly see that the injustice to them—if injustice it be—injustice to the parochial Clergy was committed by the Tithe Commutation Act, and will not be the fruit of an alteration in the Corn Laws. Before the Tithe Commuta-

tion Act the Clergy had a direct interest in the agriculture of the country; but it was judged needful—I will not say whether it was wise or not—that they should lose that interest and take in future an annual sum out of the income of the concern, instead of being, as they had been, sleeping partners in it. And why were they asked to do that? Because it was said that agriculture would be greatly improved if other persons who would come forward and advance the money were to have the whole interest of that money, instead of the Clergy taking any part of it. What, then, is this Corn Law repeal, my Lords, but the simple acting upon the principle you then established? Since your former Act the clergyman has had no right to claim any share in the interest of the capital which must be spent in improving agriculture, in order that we may compete with the foreign grower. The injury, therefore, was inflicted on the English clergyman, when you took from him an increasing share in an increasing concern, and did not allow him any share in the increasing profits of that concern. And therefore the Clergy, feeling that they have no ground of justice on which to resist this measure, have held a noble, dignified, self-denying silence; have refused to join in the clamour which they might most injuriously have swelled; and have set to all classes in the community an example such as it is rarely the habit or in the power of any one class to set, by showing that they knew there were interests beyond the interests of money, and a reward for themselves greater than the reward of their annual income. And when I say this, I admit that I think it probable that, to a certain amount, the income of the English Clergy will be injured by this Bill; and I do not see how that can be met except in one way—they will be made partakers in that compensation which this Bill will produce in the cheapness of articles of consumption. This, as far as it goes, will be a direct compensation; but there will be another upon which I will say a few words. But, before I do so, I think there is another class which will also be injured by this Bill. I think it right and fair in argument to admit that. It is a class who may possibly have some representatives in this House—I mean the nominal owners of great properties mortgaged to their creditors; and I will say of them that they appear to me to be in precisely the same position as the English Clergy, and they may do well to copy in this respect their example. I think that they will be injured by this Bill, because, as I said, the foreign grower is only to be met by improved agriculture in England—by bringing corn into the markets of a better quality and in greater quantity, with the advantage which greater security of price and freedom from the liabilities of change, to which they are now subject, will give to such agriculture. But these improvements will require the outlay of capital. Now, in the case of noble Lords who have capital, the money to be laid out will come from the possession of those noble Lords. But I grant you, and it is my bounden duty in argument to do so, that when the estates of a noble Lord are mainly or wholly another's; when they are mortgaged to his creditors; when he has no money to improve his land—then does arise the deep and solemn question which the noble Earl (Earl Stanhope) has this moment put to me with that plainness of language upon which I could hardly have ventured, but which I may adopt, when he said, in a tone of sepulchral demand—"And where is the money to come from?" Now it does appear to me an undeniable fact, that with regard to those mortgaged estates, the effect of your legislation must be that many of those lands must change hands. I deeply regret the necessity: but still I see with its evils many consequent compensations. For we know that the tenantry of a poor proprietor are generally poor themselves; I know, from their cottages, that the labouring workmen of a poor proprietor are lamentably poor. It happened to me, the other day, to inquire into the moral condition of a certain parish, and I was told by the clergyman that it was in the worst state of immorality; and when I asked the cause of this, he traced it mainly to the miserable dwellings of the poor which made everything like decency of life absolutely impossible. I followed up my question by asking, "Why have you not told the proprietor of the estate that he must, upon the higher claims of duty and upon the lower grounds of expediency, lay out some of his money in building better cottages?" The answer I received was, "I have already done so: the case has been looked into, but he says he has no money with which to build cottages." And this, my Lords, is the case with many who, in the common parlance of society, are the owners of vast tracts of land, and who consider it necessary to their

territorial greatness that they should be held to be so, but who are only nominally lords of the land; for others really possess that land, and displace all the influence of the proprietor, who alone can feel the responsibility of property with reference to the poor on his estates. He alone can feel that responsibility; and if he does feel it, he is unable to acknowledge it in any degree, because, instead of having a small property really his own which he could improve, he has nominally a great property altogether beyond his means; and so he is, in fact, reduced to the condition with which I fear some of your Lordships are too familiar, of the farmer with a larger farm than he has the capital to work, and which is therefore altogether neglected, whilst the same man with a small farm equal to his capital would be a good and successful farmer. And, therefore, my Lords, although I admit fairly that there must be much evil in such a change of property, I say that, looking forward to that as one of the possible contingencies of the working of this Bill, yet it appears to me to be no reason why your Lordships should not adopt it; because, in fact, it will be only one means of bringing the whole holding of property into a healthier and better condition—a condition in which it will be more easy to improve the land, and more natural to acknowledge the responsibility which waits upon the possessor of the soil. This, my Lords, seems to me to be a most important view of this question, which it is the duty of a person in my situation, even at the risk of offending some of your Lordships, to present to yonr notice. My Lords, it is because I think that the condition of the poor is such as to require some such measure as this, that I am an advocate in its behalf. And here, my Lords, I revert to that other compensation of which I spoke before as accounting for the silence of the Clergy. I believe that many of them—many who are acquainted with this state of society—are looking forward to this measure, because they believe that from the effects it will produce, they will minister to a happier, a more contented, a better provided for, and a greatly elevated peasantry. I know that they who live amongst that class, who do not see them only upon their days of forced festivity, drinking out of empty glasses "health to their landlord, and prosperity to agriculture,"—they who see them within their homes and amongst their trials, who visit them when they lie on the bed of fever and of death—I know that those men—for I myself have been for sixteen or seventeen years one of them—are continually grieved in their hearts at sights of wretchedness which they cannot alleviate, and wants to which they can only administer by spiritual consolation. I have witnessed the patient endurance of the English peasant; and I am convinced that the time is come when the other side of that hypothesis of Lord Bacon, to which the noble Lord alluded, is made good in England. I believe, my Lords, that the absolute "necessity" of this measure can be proved. I know that the Clergy of this country believe that the state of the great mass of the labouring population and the peasantry of England is such that they cannot desire it long to continue as it is. They do not wish to see them and their families suffering from physical wants, and from moral and religious destitution; they do not wish to see them living in cottages from which the decencies of domestic life are necessarily banished, and where their children are looked at in their up-growth only with the anxious feeling that so many additional mouths are to be filled, while the difficulties of obtaining food are daily increasing. Now, the Clergy see these things practically; and, looking round for a remedy, they believe it will be found in anything which increases the prosperity of the country. But some noble Lords say that this measure will not increase the prosperity of the country; that our best markets for our manufactures, our home markets, will be injured; and that we shall suffer more than anybody else. ["Hear, hear!"] The noble Lord cheers that sentiment, and I rejoice in his cheer, because if it be so, what becomes of the argument brought forward with the usual eloquence and power of the noble Earl who at the beginning of this debate told us to calculate on the step we were taking, for that it would be irremediable for us and our posterity? Why irremediable? Such cases, I grant you, there are in legislation—cases where there is no opportunity of retreat. If, for instance, you give way to some strong necessity and admit to a share of power political classes heretofore excluded; here there is no retracing your steps, because the persons who were strong enough to make you give this power will be strong enough to keep it. But the noble Lord says you are altogether in mistake about this measure. It will be ruin to the manufacturers and agriculturists. Then,

I ask, my Lords, who is the third party to maintain this measure? Why is it to be irremediable? If it is found that the home markets will be ruined by this measure, will any one of those who claimed this concession stand up in either House of Parliament and ask that it might be continued? If the manufacturers are on the brink of ruin, if agriculture is on the verge of destruction, they will forget their past dissensions, and ask that this measure shall not continue; they will have found the evil of this experiment, and the utmost harm will be that you will have to retrace your steps and re-enact the former law. Therefore, this argument, my Lords, is clearly most destructive to the other argument from which the opposite side of the House draw their conclusions. The two cannot be held together by any rational man. It cannot be both irremediable, and yet injurious in its working, not to a privileged class, but to all classes alike. Therefore, with the utmost deference to those who differ from me, but with a full determination not to act upon the judgment of others, but to the best of my poor ability to judge for myself upon the subject under discussion, I am prepared, for one, to risk the dangers, and, as I hope, to partake of the benefits of the experiment you are now invited to make. It would ill become me, my Lords, and it is most alien to my feelings, to suppose that your Lordships were influenced by any motive of fear upon this measure. If any such motive be brought to bias your decision, there is but one motive of fear under which your Lordships can have any danger of falling—and that is the fear of being thought afraid. I believe that this is the fear your Lordships should, more than any other, guard against—that you should not, for fear of being thought to have changed your purpose out of fear, refuse to show that the time is come when that which might once be useful has become noxious; for let me remind your Lordships of one of the arguments mentioned in this debate from an agricultural quarter, but in a manner which seemed to me not to savour of any great agricultural faith. The argument was this:—"Protection is the course you pursue with regard to everything else. You nurse carefully and protect the tender fruits of the earth; and you ought to do the same with this tender plant, the agriculture of England." I, however, am not one who think that the agriculture of England is such a sickly and fantastic exotic as to require the aid of protection; I think that all it requires is to be set free from the shackles of protection, and it will assert its own indigenous strength and native vigour. Protection to native industry has become a favourite phrase in reference to this subject; and I can say for myself that I am one of those most favourable to the protection of that industry. What is protection to native industry? It is to bring it into a field where every opportunity is afforded for wholesome competition. How was it that the great manufactures of England originated? In the beginning their tender youth was sheltered, and perhaps it was needful, by protection, even as men shelter the tender seedling from external violence by a fostering glass; but those manufactures soon asserted their strength as they grew up, and the protection which nursed their infancy would only have dwarfed their vigorous and ripening maturity. When Mr. Burke said at Bristol that he would increase the woollen manufactures by the removal of protection, until England supplied the world, he was hooted off the hustings by such clamours as have not been altogether silent in this House to-night. He was told he was going to exterminate our manufactures. But if you now look to Leeds and the other great seats of that manufacture, you will find how they fully bear out the wisdom of that prophecy, which was based on those great truths which regulate human conduct. If you wish to improve the condition of native industry, teach our population the necessity of human exertion and human skill—teach them to depend for success on their own right arms—on their moral habits—on their inventive genius—and on that ever-favouring Providence whose aid is never withheld from the exertions of good men. If they be thus trained, they may contend with the world, and far more successfully than if they are taught to depend on the sickly system of protection. Make it worth while for that native industry to meet that of the world, and you will be the true protectors of that native industry. You will make its results surer far than they can be at present; for who can depend upon the strength of your legislation, when any Minister rash or traitorous—(Yes! such was the expression applied to one, who, at the price of sacrificing place and everything which a mere party man esteems of the highest value, but fulfilling that which his conscience

tells him he ought to fulfil, in order to provide the necessaries of life for a great nation, which Providence has placed under his Government)—may abandon those legislative guards at any moment? ["Hear, hear!"] In spite, then, of the derision which the declaration may provoke, I venture to say that I and the noble Lords who think with me are, and one day will be acknowledged to be, the true protectors of the native industry of the English people; and, believing this, I would most earnestly beseech you not to be led away by that attractive declamation which has so tickled our ears. I hope your Lordships will not be misled by the splendid declamation with which we have been favoured. ["Hear, hear!"] Was it not declamation? Why, what is declamation? Is it not painting in the most glowing colours certain propositions, which, when they come to be tried and examined, prove to be rottenness and delusion. Was it not declamation to engage the mere feelings of the House by assuming certain consequences as likely to follow from this measure, and then painting the fearful picture of the approaching destruction of our ancient aristocracy, the guardians of the rights of the nation—an idea the most parricidal that an Englishman can admit into his bosom—and then to rest all this upon the statement that wheat was sold in the Liverpool market at 15*s.* per quarter?—and when the fact comes to be examined, it crumbles away, and you find that 15*s.* was 25*s.* paid on the spot where it was produced, in a distant port, to which was to be added the expense of freight, the outlay of capital, the risk of a voyage—and that, finally, the wheat was of so inferior a quality as to be unsaleable in your market. I entreat your Lordships not to be led away by any such declamation, delightful to hear, but not matter upon which Englishmen and English statesmen should draw their conclusions. I do believe, my Lords, that there is in the minds of the people of this country a deep-seated conviction, a firm persuasion, that your Lordships will in this, as in other matters, gravely, soberly, and wisely consult, not for your own interests, but for the best interests of the whole nation. Here, my Lords, is your strength, and I do beseech you not to shake its foundations. Her Majesty's Government has been said to be mainly culpable in that it did not send back to the electoral classes this question for decision before calling upon Parliament to settle it. My Lords, such a course I believe would have been alike unworthy of English statesmen acting on an enlightened view of their duties, and contrary to the spirit of the Constitution. I believe the very principle of representation as settled by the Constitution of this country, is that the electoral body, when they have made their election, should leave to the judgment and discretion of those who for a limited time are their representatives the decision of those questions which may arise and call for decision during that period. The reasons for such an arrangement are obvious. And these reasons apply with peculiar force to certain questions. If, for instance, there be one of such a nature that it can easily be made matter of divers representations addressed to and acting mainly on the feelings of those who have to decide in elections, that question is precisely one which according to the theory of the Constitution should be reserved, not for the decision of the electoral body, but for the decision of the elected. A question such as this—one of such a nature that a right rev. Prelate (the Bishop of Exeter) had thought it necessary to apologize to the House for venturing upon its discussion, since if discussed upon its merits it was so abstract in its nature, and so wound up with political economy as to be almost beyond his grasp—this was a question which must be most unfit to be left to the decision of great masses of the people. For before them such a question could not be decided upon its merits by argument, by clear reasoning, by the unbiassed judgment of those who were to decide upon it, but must be carried by appeals to the passions on one side or the other. Now, a question which will be determined by appeals to particular prejudices, is most indisputably such a question as ought to be reserved from agitation, from turmoil, and from passion. I think, therefore, my Lords, that it would be most fatal to the character of a statesman who, having to deal with such a question, should flinch from the responsibility of exercising in such a case the power that has been intrusted to him; who should flinch first for himself, and then for your Lordships, and say that Parliament ought not to decide upon such a question; that he would not take upon himself the responsibility of its solution, but that he would run the risk of exciting

an almost universal conflagration, an almost universal convulsion, in every borough and in every parish in the kingdom; and this because he would not dare to arrange the matter himself, and would not leave it to your Lordships to determine it. What would have been the result of such conduct—what else could it necessarily have been—but to set class against class in a struggle of a most doubtful and dangerous issue? what but to tell the manufacturer, "Now is the moment for you to try all your strength;" and to tell the agriculturist, "Now is the time come for you to raise your loud shout for protection to agriculture?" My Lords, it cannot be doubted that the effect would have been to cause this question to be decided as a great agitation question, instead of deciding it by the dictates of the wisdom of the best informed minds, if the Government had gone to the country instead of coming to Parliament for in settlement. Sit in judgment on this question, then, my Lords, I beseech you, divested of party feeling; sit on it judicially, not as the representatives of one interest or another, not as owners of rents, not as owners of land; not as owners of impropriate tithes, who are about to suffer in pocket by the change; but as the natural heads of the great English people, in whose welfare your whole welfare is necessarily bound up—in whose success you must succeed, and in whose prosperity you must prosper. Remember, I beseech you, that the labouring classes of this country look to you, in the patient endurance of long-continued suffering—suffering which, I am sure, no other class of men but the English peasantry could be found to endure with patience—but with the anxious hope that you are about to do something to assuage that heart-consuming suffering. Do not disappoint the expectations that they have built upon your known justice. Do not, above all, mistake the greatness of that suffering for apathy to that which is passing around them. Do not read the signs of the time so fatally amiss. Never was there, in this country, a time in which there was less of outbreaking dissatisfaction; but this is so not because the labouring classes are apathetic with respect to their condition, but because they believe that those who have the power have also the inclination to do all that can be done by legislation for the improvement of their situation. Beware, my Lords, of disappointing those just and righteous expectations. Show the people of this country that your decision of this question is based on the broad enduring principle of justice to all, not on the narrow and uncertain one of advantage to the few. In coming to this decision on these grounds, you will establish on the firmest foundations the authority of this assembly: in this assembly, I believe, is laid the main groundwork of British liberty: let not I beseech you that sure foundation be shaken by your decision here. Show that you are ready to make any sacrifice—if sacrifice there be—of that which has been only given to classes for the benefit of the people around them. Your power is indeed great; but there are some things which it cannot effect: it cannot stand, my Lords, against the rising tide of a great nation's convictions. Do not be deceived, therefore, by the whispers of flatterers to think, that even you can set your curule chairs on the edge of the rising waters, and bid them, on a principle of hereditary prescription, recede and fall backwards from your feet. Do not, my Lords, let it be said of this House that the same body which represents the hereditary wealth, property, and rank, does not represent also the hereditary justice, wisdom, and virtue of this mighty people.

Lord ASHBURTON must declare that during this debate he had heard nothing so personal; from no quarter had he listened to such imputation of motives, or such eloquent admonitions to their Lordships to put aside personal motives, as from his right rev. Friend who had just spoken. He had often heard his right rev. Friend before, and never without admiration; but on this occasion his admiration was entirely confined to his right rev. Friend's eloquence, for never, he believed, was a speech addressed to that assembly in which there was less argument. The noble and learned Lord opposite (Lord Brougham), could well appreciate argument; but he (Lord Ashburton), doubted whether the noble and learned Lord, great as must be his pleasure at listening to the hereditary eloquence of the right rev. Prelate, had been able to discover anything in that speech, any single point of reasoning, or anything bearing the appearance of solid argument. His right rev. Friend seemed to speak of the effect of this measure upon the labouring part of the population as if he expected to bring a new class out of the change; but while his

right rev. Friend was dwelling on this part of his subject, he (Lord Ashburton) was very much reminded of the eloquent speech of a French orator, at the time of the French Revolution, who said, "Above all things, gentlemen, let us respect property, but let us change the proprietors." Then his right rev. Friend had drawn such a picture of the cottage of a labouring man, and the miseries he suffered, that any one knowing English life, might have asked, "Where could the right rev. Prelate have lived to have got these notions?" Probably, however, his right rev. Friend spoke of what he had somewhere seen; but his (Lord Ashburton's) experience pointed to a different conclusion; he had lived for some time not far from the noble Duke on the cross bench, and he could say that he believed the cottages on the noble Duke's estate could compare, not only with any in England, but with any in the world. His noble Friend had inveighed against the effects of the incumbrances on the land; but it must be remembered that these incumbrances were, in a great measure, the necessary result of the particular state of society to which they belonged. Any person having his money in the funds might easily put aside portions for his children; but if the owner of landed estates only wished to grant a dower to his widow, or to make any arrangement for younger children, he could not do so without incumbering his land. The state of things which his rev. Friend deplored, had arisen, in part perhaps, from the personal fault of owners of land, and in part from the reluctance to part with an hereditary property, which he (Lord Ashburton), for one, could not condemn. But then his right rev. Friend said that persons in this situation were so poor that they could not afford to keep their labourers in decency; and his right rev. Friend's remedy was to make them poorer; for he said that the change could not take place without suffering on the part of the landowners, which he admonished their Lordships to bear with patience. He complained that the landowners were too poor already, and his remedy was to take away half their property. Now, he would venture to remind his right rev. Friend, when he talked of the neglect in which parishes were left by the owners of land, that there were neglectful clergymen as well as landowners. He was not desirous to say anything derogatory to the Church of England; he believed the Church of England stood higher than any other church in the world for usefulness; but knowing what human nature was, he was not surprised that landlords as well as clergymen were sometimes found to neglect their duties. With respect to the effect of this Bill on the tithe of the Clergy, it had been stated how it would operate on all classes, and it was also stated that it would fall most heavily on the parochial Clergy; it was said that it would fall very unjustly and very heavily, for the first three years, on the farmer, but that after it had come into full operation it would bear severely on the Clergy. Twenty-five or thirty per cent, in his opinion, would be an unfair estimate of the loss to them. This loss would be caused, it was pretended, by the Tithe Commutation Act, and not by the operation of this measure. But that was a wholly mistaken idea; for if the Tithe Commutation Act had never been passed, and they lowered the income from land, the clergyman's income must have been lowered by the same means. All political economists agreed that at given prices particular descriptions of poor lands must go out of cultivation, and others must lower their rents; but in the case of the clergymen's tithe it was not so: therefore, so far from being injured by the Tithe Commutation Act, clergymen would rather be benefited by it. The Clergy had behaved during the agitation of this question in a way that was worthy of all praise: they had stood by and taken no part in it. But it was not true that they had been solicited to join in the opposition to this measure by the protectionists. It was not that party, but the League, who had been anxious to gain them over to their side; and every time the League got hold of any man who was half a clergyman, having some local connexion with a dissenting chapel, they trumpeted his name from one side of the country to the other. With respect to the question of the effect of tithe commutation on the incomes of the Clergy, he might cite the evidence of Mr. Jones, a very competent authority, given before the Committee on Burdens on Land, who said that the Church had benefited since the commutation to the amount of two or three per cent. His right rev. Friend with great eloquence had urged that this change which was to produce cheap bread must be right because it was in nature. But it was not in nature to have any laws at all. Nature never made the three per cents. Nature never intended that the nation should have a debt of 800,000,000*l.* hanging over

their heads. Nature never intended this country to fight battles with the Sikhs, and establish a dominion over countries beyond the seas; and if the right rev. Prelate was for going back to the times when "wild in woods the noble savage ran," the principles of the right rev. Prelate, he must say, would but little adapt him for the office of Chancellor of the Exchequer. He would make a very bad one. The real state of the case was that they had gone on for 300 years under this system; and this great and complicated system of British power and British wealth had arisen from it, and yet his right rev. Friend said that all this was rottenness. Certainly if a foreigner had heard the right rev. Prelate's description, he would have thought the country was on the verge of ruin. Nevertheless his right rev. Friend gave this as a reason for passing the measure; while, on former occasions, the prosperity of the country was urged by its advocates as a reason for passing it. With respect to the condition of the labouring population, all the evidence they had went to show that in Poland the condition of the labourers was such as would not be suffered in this country for a moment. He believed that the condition of the people in this country was every way better than it had ever been at any former period. But was cheap food always a remedy for distress? The comfort of an individual labourer depended on his power of commanding the necessaries of life; and if they looked to the countries of the world, they found the very cheapest food where the people were the most miserable. He did not say that one was the cause of the other; but were they quite sure that to establish the one was to remedy the other? Let them look to the banks of the Ganges, or look only to Ireland, and they would be satisfied that where food was cheapest the people were most miserable. They saw daily that to establish cheapness of food was not necessarily to establish the comfort of the working classes. But according to the views of the right rev. Prelate, everything was to be done by competition, not among ourselves, but with other countries. The man in England who had to cultivate his farm was in a very different condition from the man with whom he had to compete in Germany. They might as well say there could be fair competition in a race where one rider carried 50 lbs., and the other 200 lbs. The former had to pay a large amount of poor rates, and tithes, and county rates—burdens which to the foreign cultivator were to the same extent unknown. These were not the mere theories of political economists, but plain matters of fact and reasoning which any capacity could comprehend. Then the right rev. Prelate went on to show how much the land was to be improved. Now, no one doubted that great improvement had already taken place in the cultivation of the land in England, and that the English farmer was beyond the rest of the world in that respect; that, in point of fact, the produce of the English farmer's wheat was nearly double that of foreigners. It was, however, plainly impossible that he could go on with improvements if he was compelled to come into competition with men who were so much more advantageously situated than he was. As to what might be the future fate of the country in these circumstances, he would not take upon himself to predict; but it was quite clear that the great mass of these farmers would be completely ruined if this measure should pass into a law. Not only was the land of England at present made to produce nearly double that of foreign countries, but they had the best authority for stating—it had been often said by the Leaguers—that one English labourer was worth three of other countries. He would say, look at the mass of wealth which was produced in many parts of England—wealth so great that never before was so much amassed in one place on the surface of the earth; and all this was produced under the principles which they were now told were such as no country could safely rest upon. The right rev. Prelate had laid it down as the duty of the statesmen of this country to make a series of experiments on such questions as this. A more extravagant proposition he had never listened to. But it was just a sample of what had been laid down by the right rev. Prelate, who had given them plenty of eloquence in place of wisdom. More absurd advice, indeed, than that which had been urged upon them he never heard. He hoped that in our modern days Churchmen would keep to their churches—it would be more to their own credit, and greatly to our advantage; but if their advice was to be taken in questions of this kind, it could not be expected that the country would advance much in wisdom. He would now add a few words on the general question. The right rev. Prelate spoke of the proposed change as calculated to give steadiness in the price of grain: now it so happened, that so far as cou-

cerned the Corn Act of 1842, the three years which followed it were the most steady and most moderate in price which had ever occurred, and this at a time when in all other parts of Europe the greatest fluctuations of price had taken place. In France, Belgium, and other countries, they suffered from scarcity; while here, with our own resources only (for very little grain was let in) the prices remained as steady as if we had had a law fixing the price at which it was to be brought into the market. But the right rev. Prelate said he recommended this measure to their Lordships, because all the great authorities of the country were in its favour; and why, in such circumstances, should they set up their opinion in opposition to it? Was his right rev. Friend so ignorant of what was passing in the world of politics as not to know that the whole of this concurrence of party was a mere job—a mere scramble for the government of the country? His noble Friend opposite (Lord Brougham) need not look so grave upon the matter. This was the solemn weight of authority to which their Lordships were asked to look up with so so much reverence. He denied that there were any great authorities in favour of the principle of the measure. On the contrary, if they looked back only a year or two, they would find all the party to which noble Lords opposite belonged in favour of a fixed duty of 8*s*. And when they looked to such men as Huskisson and Pitt, and even Ricardo, they found them in the opposite scale. Indeed, they had no authorities in favour of the change but those who had been raised up under the Anti-Corn-Law League, and the parties whom they had frightened into proposing the measure. As to the practical working of this measure, he would just remark, that even if he was favourable to its principle, he should still say that the Bill itself would be fatal to the purpose for which it was intended. In 1825, when Mr. Huskisson foresaw a bad harvest approaching, he proposed to let out all the corn in bond at 10*s*. duty, the price then being 75*s*.; but so cautious was he not to bring out all the grain in bond upon the market, so as materially to affect it all at once, although the quantity in bond did not exceed 400,000 quarters, that his Bill provided for the grain being brought in by degrees at three different specified times. But here no such precautions were to be used, and thus in the very working of the measure it would defeat itself. There was one view of this question which was regarded as exceedingly important by the advocates of this measure. They talked constantly of free trade, which meant that they would open their ports to everybody, while nobody would open their ports to them. What would be the effect of this but to enable foreign countries to come into our markets, and undersell our farmers, traders, and manufacturers, while all the time we were prohibited from going into their markets, which were kept closed against us. He would now shortly direct their attention to the question of the Colonies. On the first day of the debate in that House apprehensions were stated, naturally enough, as to the effect this measure would have upon the Colonies, especially Canada; and a reference was made to a pressing letter from Earl Cathcart, in which it was stated that the unanimous opinion of himself and his Council was, that the measure was an exceedingly dangerous one to the interests of Canada. Now when a Governor of the Crown made a statement of such a nature as that, it was a proof that his convictions were very strong upon the matter. The noble President of the Board of Trade, however, in answer, stated that there were later advices from Canada, and that the Legislature of the country had taken a totally different view of the case, and that nothing was to be apprehended to the Colonies from this measure. Now no one could doubt that such was the belief of his noble Friend; that he really did not know of another despatch being in the country; but the next morning there came a representation from the Legislature of Canada, written of course in much stronger language than the letter of the Governor, in which they expressed the great alarm they entertained that this measure would be injurious to the provinces and to the general interests of the inhabitants. There were also petitions from the Boards of Trade in Montreal, Quebec, and Toronto, against the measure. Last night the noble Lord the Under Secretary for the Colonies had given some explanations to the House on this subject; but they were by no means such as to allay the apprehensions which they entertained in reference to Canada. Canada was defensible against the United States and all the world, if the people were in heart with us; but we could only keep that Colony by making it its interest to be connected with us. Those who talked of the grandeur and advantage of a connexion with the British Crown, must be

very young indeed in knowledge of the world; people would not be led away by such high-sounding phrases; for if people submitted to be governed, it must be their interest. A noble Lord (Lord Lyttelton) had had said that the Colonies "must follow in the wake of the mother country;" but we had enough of that "must" when we lost our other great Colonies in that quarter, not from any desire to be separated from us originally, but because we made it their interest to separate. Nor was it the value of a Colony only that was at stake; but if we lost it, there must be a long struggle and much bloodshed. The fear of the Canadians was, that the St. Lawrence would cease to be a port. It was said on the previous night that you could get to Montreal at such a price, and to New York at such another price; but in the one case you were still a long way from the sea, with the passage only open for six months. Nothing but the strongest convictions would have induced him (Lord Ashburton) to turn round on the party with whom he had cordially acted; but their Lordships would feel the importance of the question; there was not a point of our Empire which was not affected by the decision.

Lord MONTEAGLE began by complaining that the noble Lord who had just sat down had greatly perverted the meaning of the right rev. Prelate who preceded him. The right rev. Prelate had spoken of particular places in England, in which, from the poverty of the possessors of the soil, their duties towards their tenants were not adequately performed; and the noble Lord had described that statement of an excepted case as a general statement, applying to the whole agricultural interest. The noble Lord had dealt in the same way with other remarks of the right rev. Prelate. With respect to the general question, the noble Lord had touched upon the subject of tithes as a burden upon land, and as a justification of protection to the payer of them. Why, now that tithes were commuted, did it make any difference in the cost of the production of corn, whether it was produced upon tithe-paying land or tithe-free land? Noble Lords ought to be aware how they took their stand upon "burdens on land;" it would raise the question, whether the charges complained of were burdens on the cost of production, or on the rent? If the latter, the Corn Law (placed on that footing) was simply a protection to rent. Were tithes abolished to-morrow, no one would feel the relief but the landlord: there would be a proportionate rise in rents. On this subject he (Lord Monteagle) would quote from memory a passage in a manuscript pamphlet lately shown to him, found among the papers of the late Sydney Smith. The pamphlet was on the subject of tithes, and was written at the time of great political and ecclesiastical excitement—excitement adverse to the Church of England. The passage ran thus, in substance:—

"We sometimes get great instruction in singular and unforeseen ways; I got great instruction one day from going into the stables of my excellent friend, Mr. Pickwick, who keeps the White Hart Inn at Bath. It was a period when the great macadamizing improvements were going on all over the land. When I entered the stables I found all the horses in the greatest state of commotion and excitement. 'What a time for us post-horses!' said they; 'the roads are all being macadamized; there will be no more rough gravel, no more deep ruts; this is a most blessed time for us.' Upon which an old grey poster in the corner, blind of one eye and lame of one leg, but possessed of great experience, addressing his friends in the stable, said to them, 'Beloved quadrupeds, do not exult unreasonably or hastily; do not believe that our biped masters are making all these improvements for our sakes: they are doing them for their own. If the roads are made smoother and more level, depend upon it it is only to make us run so much the quicker, and carry so much the heavier burdens."

Just so the repeal of the tithe would be no benefit to the cultivator of the soil, but only an advantage to the landlord. With regard, next, to the constantly diminishing proportion of the agricultural classes to the manufacturing, this was a condition of things essential to the prosperity of the agricultural interest itself. According to the census of the population, it appeared that in 1811 the proportion in the hundred of agriculturists was 35, and of non-agriculturists 65; in 1821 the proportion of agriculturists was 33, and of non-agriculturist 67; in 1831 the proportion of agriculturists was 28, and of non-agriculturists 72; and in 1841 the proportion of agriculturists had fallen to 22, while that of the non-agriculturists had risen to 78. The result shown by the returns he looked upon as a proof of the increasing prosperity of the country, as every improvement which took place among the manufacturing and trading classes reacted upon the agriculturist. Far from proving that the agriculturist class were lessening in value and importance, it was in his mind only a proof of their progress. Whence did this proceed? [The Duke of Richmond: From protection.] He would undertake to prove that the noble Duke's doctrine of protec-

tion to all—to the manufacturing as well as to the landed classes—was the greatest possible fallacy, and that so far from leading to justice, it contained within itself the element of the most flagrant injustice. Let them take corn and cotton as an example—he would not say corn and currency. Supposing 10 per cent put upon corn and cotton as a protection, would that protection operate equally in both cases? Not at all. Corn was not exported; therefore the price was regulated by the markets of this country, and the 10 per cent protection, if it acted for any purpose at all, must raise the price of corn so much. But how was the case with cotton? All the cotton manufacture was not consumed in this country; a great quantity was exported, and, as there could not be two prices for cotton, the price of cotton in this country must be regulated by the markets of the Continent, and must fall to the continental level; and the ten per cent was no protection at all. Then, what became of the whole argument of protection to all branches of native industry? It had been observed by some one, that protection of all classes was general robbery: and he must say that he considered it general nonsense. He was astonished to hear the present measure objected to on the ground of its being a great experiment. Why, was not all legislation experiment? But the Parliament in adopting this Bill were not adopting an untried principle. The principle had been tried and found to answer, and had been supported by the best authorities, living and dead. The noble Lord opposite (Lord Stanley) had referred to ancient statutes; and he (Lord Monteage) would oppose to them statutes of a more modern time. One would look for anything in ancient statutes rather than sound principles of political economy. Trade was not to be made prosperous by passing such Acts as enforced the burying of the dead in woollen, or which rendered their Lordships liable even now to penalties for not wearing metal buttons on their coats. He would read to their Lordships the preamble of an Act drawn up by Mr. Burke. It was to the following effect:—"That whereas it had been found by experience that the restrictions imposed by several statutes in reference to corn, flour, and several kinds of victuals, by preventing a free trade in the same, had a tendency to discourage their growth, and increase the price," &c. Such was the preamble of an Act passed in better times than were those alluded to by the noble Lord (Lord Stanley). This was an Act to remove the restrictions imposed on the internal trade in corn. [Lord STANLEY: Hear, hear.] True, it was to remove restrictions on the internal trade; but the preamble showed that all the mischief was done by preventing a free trade. As the noble Lord (Lord Stanley) looked for authority, he would also state the opinion of Dr. Johnson, who, in reference to the suggestion of a duty on the importation of corn, observed—"Why, Sir, you speak like a savage; would you prevent a man from buying food in the cheapest market?" The authority of Mr. Huskisson had been appealed to; but he was at a loss to understand how that statesman's authority could be appealed to in favour of restrictions on the importation of corn. No doubt, his mind had varied at different periods on the subject; but in a letter which he wrote in 1830, and which contained the ultimate statement of Mr. Huskisson's matured judgment, he said that he had no doubt whatever that these (the corn) laws might be repealed without affecting the landed interest, while the people would be relieved from their distresses. The noble Lord (Lord Ashburton) had objected to a series of experiments being carried on. Why, the history of the Corn Laws was the history of a series of experiments. In 1815, when the Parliament was strongly agricultural, protection for agriculture was obtained: but did it serve agriculture? Why, in 1822, the whole country, under the blessing of the Corn Bill, was in state of distress. [*A cry of* "That was after the alteration of the currency."] Well, if noble Lords said that it was the alteration of the currency that caused the distress, were they prepared to propose the repeal of the Bill which altered the currency? But in the report of the Committee of 1821 the Currency Bill was not put forward as the cause of the distress, neither was it in the speeches made in Parliament. In place of benefiting the agriculturists, the Corn Bill of 1815 then did the agriculturists much mischief. In 1822 the agriculturists had a new Bill, which did them no benefit, and they came again to Parliament for protection in 1826. Again, in 1836, they complained of distress; and, in 1842, they got a new Bill: notwithstanding which, in 1845 a noble Lord declared that the tenantry had, during the past year, lost a great deal of capital and property. Such was the history of protection. But it might be asked, if the

system of protection had not benefited the agriculturists, what harm had it done to any other class? He believed that a vicious system of this nature benefited no parties whatever; for while it held out false hopes to the agriculturists, its effects with regard to other branches of the community were most mischievous. His noble Friend opposite said that this system had produced a greater equality of price than had before existed; but he (Lord Monteagle) was prepared to show that, just in proportion as they restricted the supplies of corn, they occasioned fluctuation of price. If Norfolk was governed by one system of corn laws, and Lincolnshire by another, it was clear that there would be a greater fluctuation of prices in each of those counties than there was at present; and why should not the same result follow the difference of corn laws between Russia and America and this country? His noble Friend opposite had stated on the 6th of June, 1814, with reference to the Corn Laws, that "steady prices were never produced by restriction. Apply the doctrine of restriction to any one county of England, and it will be found that doing so will not have the effect of steadying the prices in each particular county. On the contrary, the price of bread will be alternately high and low, as there is a bad or good harvest in each particular spot." The noble Lord added, "What the whole of England is to any particular county in England, so exactly in this respect is the whole of Europe to the whole of England." He thought he was entitled to claim the benefit of the noble Lord's high authority on this point. There was another subject to which he (Lord Monteagle) wished to refer —that of our dependency for supplies of food upon foreign countries. He was ready to admit that a dependence upon foreign countries for supplies of food might be attended with great danger; but it was a danger to which we were now pre-eminently exposed. If, however, we made our laws what they ought to be, we should render foreign countries dependent upon us. Under our present system, we discouraged the growth of corn abroad, with a view to the permanent supply of this country; but we could not do without it at intervals. His noble Friend who had just sat down seemed to think that for the last three years we had done without foreign corn; but the fact was, that although during the last year we had not required a large supply of corn, we had received very considerable importations during the last three years. His noble Friend would not deny that, taking decennial periods, we required more and more foreign corn; but we did not encourage the foreign producer to grow for our market, for we only took his supplies when we wanted them. By rendering foreigners dependent upon us for the sale of their produce, we should do much to insure the maintenance of amicable relations; but our present system, as he had said, discouraged them from growing corn, and led them to view our arrangements with suspicion. He must confess that he had not expected to hear from any noble Lord during this discussion an elaborate defence of the sliding-scale, coupled with an invitation to those who were friends of a fixed duty to resist the present Bill; but his noble Friend the late Secretary for the Colonies, who had come forward as the leader of the protectionist party, had selected as the heraldic badge of his banner the sliding-scale. He (Lord Monteagle) believed, however, from the experience they had of the effect of the sliding-scale, which was mischievous to the farmer, to the consumer, to the trader, and to the Bank of England, that no individual would be found ready to come forward and pin his faith upon the operation of that system. It had been said that the Bill now before their Lordships would be most injurious to Ireland; but he did not think the interests of that country would suffer, any more than those of England, by the adoption of a system of entire freedom of trade in corn. He believed the effect of this Bill would be to diminish fluctuation of price; and of all things fluctuation of price was most prejudicial to Ireland. He was glad to observe that all those noble Lords who had referred to the distress existing in that country had done so in a tone of sympathy with the sufferings of the people, and had evinced the strongest desire to concur in any measure calculated for their relief. Unfortunately, however, during the discussions upon the Corn Bill, some persons had been betrayed into expressions upon this subject, which, on calm reflection, they would not have used. They had heard of the humbug of Irish famine; they had been told that no one relied on the tales of Irish distress; and it had been intimated that the cry of Irish famine had been raised in order to facilitate the passing of this measure. Now, he (Lord Monteagle), as one

who was conversant with the condition of many districts in Ireland, especially with the southern portion of that country, must remind their Lordships that it did not follow, because they received very favourable accounts of the crops in some parts of Ireland, that great distress might not prevail in other districts. There had been deep distress in Ireland; and he was bound, in justice to Her Majesty's Government, to say, that he believed it was owning to their early and prudent interposition that the distress had not been more visible. He would take upon himself to say that the distress recently existing in Ireland had been much more severe than at any former period within their Lordships' knowledge. It had been said, over and over again, that in all our commercial measures the concessions were made by this country, and that we got nothing from foreign countries in return. But was not the example of Great Britain likely to be followed by other nations? In a despatch, dated May 30, 1824, written by Mr. Addington, our Minister at Washington, to Mr. Canning, it was stated that the example of Great Britain was adduced by both parties in favour of or against a system of protection. Mr. Addington, however, emphatically added, that if no restriction on the importation of foreign corn had existed in Europe generally, and especially in Great Britain, he had little doubt the Tariff would never have passed through either House of Congress in the United States. The Prussian Government had declared to Mr. Canning that our corn and timber duties were an obstacle to trade with this country. With respect to the price of corn under a system of free importation, he (Lord Monteagle) had never anticipated a great reduction. That was also the opinion of the late Lord Spencer, and also that of Lord Sydenham. When Mr. Poulett Thompson, he had pledged himself, on the hustings at Manchester, to a free trade in corn, he said, "What I think you will have will be a steadier trade." Mr. Ashworth said, it was not the cheapness of corn and other produce that was wanted, but freedom of trade. A mist lay over the destinies of nations that the human eye could not penetrate. This country was necessarily exposed to great revulsions in trade; and, although we had been hitherto blessed by prosperity, the times of calamity must come. He called upon their Lordships not to continue to place themselves in a position which permitted the people to refer their calamities to laws made by the Legislature. If the harvests were bad, let them say it was a dispensation of Providence; but let not the people attribute their sufferings to legislation, and particularly to the legislation of a class who were supposed to have a pecuniary benefit in maintaining their own laws. He did not say that this measure would protect the trade and industry of the country from variations and reverses; but he would say, that it would diminish the chances of those variations, and that they, as legislators, would cease to be responsible for them when they gave to trade its fullest scope.

LORD STANLEY: My Lords, it was not my intention to have addressed a word to your Lordships in the course of this debate, after having trespassed upon your attention at such length on a former occasion; nor would I have done so had it not been for the observations which have been made by my noble Friend who has just sat down, which have been so pointedly addressed to me, that, in the absence of all preparation, without a note of any kind, without a single document to refer to, still I think I should not be justified if I were to permit a single day or a single hour to pass without offering an immediate reply to some statements of my noble Friend. And, my Lords, I confess that it is a matter of satisfaction to me, that in an assembly composed of the men whom I have now the honour to address, and opposed by the antagonists whom it has been my lot on this occasion to meet, I may venture to say that there has not been any attempt to answer the statements which I made to your Lordships on the 25th of May last, from the period when we discussed for three days the original proposition of the second reading of this Bill, till the speech which my noble Friend has now made, after an interval of considerably more than a fortnight; and I confess, my Lords, it is an additional gratification I feel that my noble Friend, in professing now to reply to a speech made three weeks ago, has touched but upon a very small, and, comparatively speaking, a very insignificant portion of it. But, so far as he has touched upon it, he shall not have to wait for a fortnight, nor even a week, for his reply. My noble Friend touched upon one statement, which he supposes I made in reference to the authorities which were brought to bear upon the subject of protection in general. Now, my noble Friend and others, whose remarks I do

not notice because they were made out of this House, stated that I relied for my defence upon the measures introduced into the Parliament of Edward IV. My Lords, you heard the statements I did make. The President of the Board of Control stated, that from the earliest period of British history the principle acted upon in this country had not been the principle of protection. I stated the very contrary had been the case, and I quoted the preamble of the Statute of Edward IV. to show that since the time of Edward IV.—and that was all the allusion I made to that statute—not only had protection been the principle adopted at the very earliest period, but that it had been acted upon without intermission to the present time; that that principle had been recognised, sanctioned, and maintained by the Legislature of this country during the whole of that long period. Such was the reference which I made to the Statute of Edward IV., being a very small part of the authority which I brought to bear on this question. But how does my noble Friend meet me? He brings forward another authority; and, my Lords, what authority? The preamble of a later statute. The preamble he alludes to states, that whereas it was found from experience that restraint had been laid in several statutes upon meal, flour, milch cows, &c., which had a tendency to discourage their growth, and to prevent freedom of trade, and to enhance the price of these commodities. And this, said my noble Friend, is an authority in favour of universal free trade, and of the present Corn Bill. But, my Lords, what is the statute to which this is a preamble? Does it regard foreign trade. No. ["Hear!"] No; I say it only relates to our internal trade. And the preamble goes on to recite that if such statutes were put in operation it would bring great distress on the population in many parts of the kingdom, and in particular on the cities of London and Westminster. It then goes on to repeal the Acts against forestalling, regrating, or—in short, my Lords, the statute is nothing more nor less than an Act removing vexatious restrictions with respect to the internal trade of this country; and yet my noble Friend brings it forward as an argument against our taking those precautions which our ancestors have taken against our freedom of trade being a one-sided freedom. My noble Friend is for sacrificing all the advantages which we at present possess, or which we are likely to obtain, on the ground that we shall obtain corresponding advantages from the Legislature of foreign countries. When my noble Friend used the preamble of that Bill as an argument, he should recollect that it applied to a state of things over which we had perfect control—to parties amenable to our laws, and interested in our institutions, and not to foreigners, who were perfectly independent of us. He cannot legitimately bring such an argument to bear upon a system where, although one party may be brought perfectly under our control, it is perfectly optional with the other, who is quite beyond our reach, to receive or reject our terms. I had the misfortune not to be present when a right rev. Prelate (the Bishop of Oxford) made an allusion to my speech. I understand the right rev. Prelate talked of the importance of going back in matters of legislation to a state of nature; and my noble Friend opposite (Lord Monteagle) said that restriction ought to be the exception, not the rule, in our system of legislation.

The BISHOP of OXFORD: As my noble Friend was not in the House when I spoke, I may as well repeat what I said, and which was, that we should interrupt the course of legislation which nature seemed to recommend as little as possible, and that restriction ought not to be used except upon some plain and inevitable necessity.

LORD STANLEY: My noble Friends about me were under a different impression as to what the right rev. Prelate stated. However, I am bound to take his explanation as correct. But I suppose the right rev. Prelate will admit this to be his meaning—that the nearer we approximate to a state of nature in our legislation, the better. [The Bishop of OXFORD: Hear.] Very well; but, unfortunately, all the world will not consent to act upon this approximation to a state of nature. There are a great many things in which we cannot approximate to a state of nature. In our clothing, for instance—for if such an approximation were possible, it might not be decent. Voltaire somewhere says—"*Ce n'est pas selon la nature, cependant je porte les culottes.*" We are not in a state of nature—our whole system is artificial. We impose restraints upon personal liberty for the benefit of the community at large; we are constantly obliged to depart from that standard of purity—from that original state of nature so strongly commended by the right rev. Prelate. We have gradually

departed from it since the earliest ages of the world; and I do not think it a legitimate object of legislation to attempt to recur to it. But the right rev. Prelate says, we should approach it as closely as we can. Granted, when we can bring all those who come within the working of our system under our control: but your Lordships must remember that we are legislating for flesh and blood, not for Utopia. Different countries will have separate, or it may be adverse, interests—they have other laws, interests, and objects; and for you to say we will enter upon a state of nature, but allow everybody else to protect themselves and wear a defensive armour, appears to me to be placing the former in the greatest possible disadvantage towards the latter. That is a state of things, an utopian constitution of society, which never will be arrived at. Mr. Owen, in his system of parallelograms, could not arrive at it. Mr. Owen would have each man work for the advantage of his neighbours, and not to be actuated by any selfish interests. Mr. Owen demonstrated that if the world would but consent to act upon his system of parallelograms, one man for the benefit of the other, mankind would be more prosperous. This sounded tolerably in theory; but when people found they were not working for themselves they would not work at all. These utopian schemes sounded very well, but they would not work. It was just like the man who invented the most ingenious and beautiful machine on earth, but omitted to provide for the impediments of friction —or like the person who invented a system of projectiles, but forgot to take into account the resistance of air, and the doctrine of gravitation. You must not look to what is good in the abstract, but to what is practically desirable; and as foreign countries will not agree in your scheme, it falls to the ground. My noble Friend referred to Dr. Johnson; but Dr. Johnson, it ought to be recollected, spoke in 1776, when the state of the public burdens was very different from what it is now. A system of free trade there may be, but not with safety to the State, when there is 800,000,000*l.* of debt. My noble Friend referred to a speech of Mr. Huskisson's, who said, the Corn Laws could not be maintained. I do not recollect Mr. Huskisson's words; but what he said I think was, that in the present state of taxation, they could not be maintained. My noble Friend then expressed surprise that I should have ventured to take up the defence of the sliding-scale; but the noble Lord has not in any way shown that the sliding-scale is pernicious either as regards the fluctuation of the price or the dearness of food. He said that the sliding-scale had been given up; but he made the assumption without reason. The noble Lord asserted that the sliding-scale must produce great fluctuations of price. Now I say that the sliding-scale ought to be judged not by what it "must do" but what it has done. I thought that I had shown on a former occasion that it had prevented fluctuation and ensured steadiness; and I cannot see therefore upon what grounds the noble Lord should assume the reverse. But the noble Lord went further: he said that foreign nations would fall in with the free-trade scheme. But he did not say what advance had been made in this reciprocity system with other countries. My noble Friend the Secretary for Foreign Affairs did not hold out any encouraging expectations. I took the liberty of showing the House a few nights ago, the statement of the Secretary to the Treasury of the United States, in which, so far from holding out any prospect of a relaxation in their tariff, he congratulated his countrymen on the free admission of their bread stuffs into this country, and proved that such a system would more and more exclude English manufactures from American markets. Prussia has not reduced the duties on the cotton and hardware of this country, because our Tariff has been relaxed in favour of her corn and timber. Our Legislature has reduced the duties on timber; but, so far as reciprocity is concerned, we have nothing to congratulate ourselves upon; nothing that can lead us to suppose that the relaxation of protection will lead to that delightful state of nature to which the right rev. Prelate has alluded. I believe I have adverted to the more prominent points of the noble Lord's speech; but while I am on my legs, I will refer to one or two statements which have been made, to my great surprise, by the right rev. Prelate, and also to some statements made by my noble Friend the Under Secretary for the Colonies with respect to the colonial part of the question. I heard with great surprise from my noble Friend the Under Secretary for the Colonies, that the only advantage of having Colonies is an outlet for our surplus population: he considered it as a matter of little importance

whether the mother country should have their commerce under her control—whether there should be a shipping trade between them, which would serve as a nursery for her seamen, as a means of employing their population—as a market for those goods which was not at the caprice of a foreign rival—all these things my noble Friend regarded as comparatively trifling. The great thing, according to his (Lord Lyttelton's) theory, was to have an outlet for the surplus population. If he will look on it solely in that light, I would say, cast off the Colonies altogether; for, if that be all they are useful for, they are an incumbrance rather than an advantage. The surplus population would find outlets in the United States, or in any other country blessed with a fertile soil and a fine climate, even though those countries might not be willing to fall into that state of nature to which the right rev. Prelate has alluded. I do not know how the colonists will like the designation which my noble Friend has given their territories—an outlet for the surplus population. They may, perhaps, think, that as they are so valueless to this country, they may as well make the most of themselves, and perhaps impose a duty of 35 or 50 per cent on our goods. Noble Lords calculate with great confidence on the acquiescence of the Colonies in this measure; but in my opinion you had better wait a little for more certain intelligence. Let us wait until we see the deliberate expression of the people of Canada, and until the opinions of the people of this country are constitutionally expressed. The Government propose a great and a hazardous experiment; they are doubtful of the sentiments of the Canadian people, but yet will not defer the passing of it until the arrival of the next Canadian mail. I can hardly believe that the Government is serious in calling upon this House to force through it so vast and important a scheme, and in the same breath declare they labour under a disadvantage in not knowing what the unanimous feeling of the people of Canada may be, who, for aught the Government knows, may have changed their opinion as rapidly as some of your Lordships have changed yours. Then my noble Friend seems to think that Lord Cathcart is not so strongly of opinion that this measure will be so ruinous as he has before expressed himself. If that be so, let us have the statement of Lord Cathcart. It is right we should know what his opinion really is. Then, have Ministers consulted Lord Metcalfe? He is a man of liberal principles, in favour of general free commercial policy; and if they have not consulted him, they have failed in that which it is incumbent upon them to have done. We have heard what is the opinion of the Legislature of Canada upon the subject; the opinion also of the Attorney and Solicitor General of Canada, expressed in their places in the Assembly, as representatives of the people; and they think that this measure is fraught with ruin to Canada, and that if it is passed they will have no resource but in free trade, and of throwing themselves, commercially, into the hands of the United States. As regards the present state of Ireland, I fully agree in opinion with the noble Lord opposite (Lord Monteagle), that the repeal of the Corn Laws will have no effect in healing the distresses that at present exist in that country. The noble Lord gives great credit to the Government for the measures they have taken to supply Ireland with labour and food; but they are temporary and palliative, and not permanent or effective measures. The distress in Ireland does not arise from the dearness of provisions, but from the want of permanent employment; it is the want of employment that causes the great destitution that exists amongst the labouring classes. The greater portion of the landed proprietors of that country are unable to dispose of their estates, they have them so heavily mortgaged; which also prevents their being able to reduce their rents, or give their labourers employment. I ask your Lordships, then, how can this measure remedy the evils complained of? You are about to introduce a law, which must have the effect, more or less, of reducing the price of corn, and which, I believe, must also tend to increase fluctuation, to cause a great influx at one time, and a great scarcity at another. My noble Friend opposite, who professed to answer the speech of my noble Friend near me, thought it advisable to abstain from noticing the dilemma into which this measure will, in this way, bring the country. I wish to say a few words on the subject of class legislation. The right rev. Prelate (the Bishop of Oxford) said, that he thought no reference ought to be made to the right rev. Bench on the subject of the revenues of the Church. Now, my Lords, I say that the lowering of the incomes of the landlords is not a matter of simple injury to them, and

that the lowering of wages is not a matter of simple injury to the labouring classes, but that it is a general injury to the community at large. So, in like manner, the lowering of the incomes of the parochial Clergy is not a private but a public injury, and is not to be considered merely as a diminution affecting the parochial Clergy alone. If the Commutation Tithe Bill had not taken place, the Clergy would have been infinitely greater sufferers by the introduction of this measure. If a commutation of tithes had not taken place, a double injury would now be inflicted upon the Clergy. As they would have benefited by an increase of tillage, so in an equal proportion they must have suffered by a diminution. Therefore, I say, that although this Bill will inflict a great injury upon the parochial Clergy, it is not by reason of the commutation of tithes having taken place; for if that had not occurred, the injury would have been much greater. I am quite sure that the right rev. Bench is above the danger of being unduly influenced; yet I may mention that there is a broad distinction between the parocial Clergy and the Members of that Bench who are the guardians of the Church. The parochial Clergy are dependent for their incomes upon the price of corn; but the right rev. Bench have all a fixed salary. The parochial Clergy's income depends upon the fluctuating price of corn; whilst the right rev. Prelates receive a fixed and definite sum of money. I am quite sure that that circumstance will not in any way actuate the right rev. Bench in giving their votes upon this question, and I only mention it for the purpose of showing that a difference does exist. What is to be the effect of a reduction in the price of corn by this measure? If the price of corn should fall, then there will be a fall in the prices of other commodities. What is to be the result of that? Why, there will be a great advance in the value of money. There is one interest which will be benefited by it. You are about to confer a boon upon the moneyed interests of this country. Have you considered the effect it will have upon your national debt? If you raise the price of money one-fifth, you will increase the burdens upon the country in the same proportion. I throw out these remarks, in order that your Lordships may not be induced to adopt this measure without thinking of the effect it will have in increasing the burdens upon this country. The right rev. Prelate spoke of the great reduction that would take place in the price of bread, as well as the increase in wages, that was likely to arise from the passing of the measure, and how the people had been induced to expect that it would be passed; and as "hope was the sweetener of the evils of life," some hope would be given them that their wishes would be realized. I tell your Lordships not to give the people hopes for the purpose of misleading them, for "hope deferred maketh the heart sick;" and if you held out hopes that may never be realized, you will thereby inflict an injury that cannot easily be remedied, as hope disappointed leads to that which constitutes a sense of evil. The right rev. Prelate said that the smallest assistance to these poor people would be of the greatest service to them; but he should have gone on to show that you were going to give them any at all. My opinion is, that the labouring class will be the first to discover that cheap bread is not a blessing but a curse to them, notwithstanding the sweetened hopes that are held out to them to induce them to put the cup to their lips. My Lords, you say you will bow—and God forbid that you should not do so!—to the deliberately expressed opinion of the people of this country. Many of you, however, are about to vote for this Bill, not that you believe it to be necessary, or approve of its principle, but because it has been passed by the other House—you are going to vote against your own judgment; and before another twelve months has elapsed, you will discover the error you have committed. Do not think that when you pass this Bill, the question is settled. You are about to pass it in order that you may get rid of the annoyance of agitation. Do you think that agitation can only be on one side? Do not imagine that your conceding all to one party, will have the effect of settling the question. I tell you, that when the next election takes place—come when it may—let the measure be now carried partially or entire—that the entire question will be again renewed. The opinions of every candidate on this measure will be inquired into, and by it they must abide. You have yielded to the judgment of the House of Commons—or, I should say, you have yielded to the votes of the House of Commons—you did not alter your opinions—you have altered your votes. The elections come on, and the people confirm their opinions of 1841, and return their representatives, who pass through the House

of Commons a Bill repealing the measure you are now about to adopt. What will you do then? Will you be consistent in your inconsistency, and reject it? Having in 1845 voted for protection, and in 1846 voted against it—will you in 1847—should a Bill be sent up to repeal this measure—will you again vote as you are now about to do? Act, my Lords, upon your own judgment and opinions boldly—act upon them in that constitutional sense in which you are bound to act—till the opinions of the people of the country are unmistakeably expressed—vibrating from one point of the compass to the other, according to the various mutations of popular feeling; those manifestations of popular feeling which have been so aptly represented by the mutations so recently displayed by the House of Commons.

Earl GREY, who rose amid some confusion, said it had already been moved that he should be heard; and he thought as his noble Friend (Lord Stanley) had taunted the supporters of the Bill that it required a fortnight's deliberation before they could answer the arguments he used on the former occasion, a noble Lord, on the opposite side to his noble Friend, ought to be heard in reply. Now, he thought there had been no reluctance te meet the speech of his noble Friend. The very same evening his noble and learned Friend (Lord Brougham) had torn absolutely to tatters great part of his noble Friend's speech. [*Cries of* "Hear!" *and* "No!"] According to the best of his judgment that was the case; and he would fearlessly ask the House and the country whether his noble Friend's (Lord Stanley's) arguments had not been disposed of. Could any one who had heard the noble Earl near him (the Earl of Clarendon) deny that he had proved most conclusively that wherever restrictions had been removed, and free importation had been admitted, a great increase and improvement in the home produce had taken place? His noble Friend (Lord Stanley) had spoken in a triumphant air, and said that his noble Friend near him (Lord Monteagle) had fallen into a great blunder by quoting the preamble of an Act of Parliament, as an argument in favour of removing restrictions, when the Act relates only to the internal trade, and not to the trade with foreign countries. But the principle was exactly the same, whether they applied restrictions as between county and county, and between country and country. Just as it was the interest of Middlesex to have corn from Northumberland cheap, so it was the interest of England to have cheaper corn from Poland. But the argument of his noble Friend (Lord Stanley) was, that we could not enforce reciprocity from foreign countries, as we did between county and county. Why, however, did his noble Friend shrink from the argument that money was exactly like any other article of commerce; and therefore that not producing gold in this country we should pay for our corn directly or indirectly by the produce of British industry? It was a new light in the noble Lord that protection was only desirable where we could not have reciprocity. [Lord Stanley: I never said so.] His noble Friend denied having used the argument; but then in that case the preamble quoted by his noble Friend (Lord Monteagle) was applicable, and there was an end of the mare's nest which he had discovered, that the preamble was only applicable where we could have reciprocity as between county and county. The noble Lord, in his remarks on the subject of Canada, had made a good deal of the letter received from the Governor of that Colony, and he had also expressed a wish that the opinions of the late Governor General of Canada should have been made known on this subject. Now he was happy to inform the noble Lord that the noble Earl behind him (the Earl of Clarendon) had a letter from Lord Metcalfe, in which he expressed his regret that he was not able to come down to that House to state his views in favour of this measure. The noble Lord had used as one of his arguments in favour of the sliding-scale, the statement that it was productive of steady prices; and in endeavouring to prove this, he compared the prices of this country with those of foreign countries; and how did he do so? In so far as respected the produce of this country, he took the *Gazette* averages; but in regard to foreign countries, he took the market price of the articles. Could anything be more erroneous than this mode of proceeding? And yet his noble Friend founded an argument upon the result. This year, in the north of England and Scotland, the quality of wheat was so unusually bad, that the old wheat was selling at 100 per cent higher than the wheat of the present year, the price of the new wheat at one portion of the year being 42*s*., while the old wheat was 84*s*., leaving the average of 63*s*. between the two prices. The wheat of the present year was so bad, it was necessary to have some foreign wheat

to mix with it, and which circumstance nominally kept down the prices. It also kept foreign wheat out of the country; and thus there was an apparent steadiness in the prices, while the population was suffering all the inconveniences resulting from a supply of bad wheat. Nothing could be more futile than the attempt to show that the sliding-scale gave steadiness of price. In fact, there could be no steadiness of price unless there was encouragement to produce an article in such quantity, that it could be laid up in store for the purpose of being brought to market when there was danger of scarcity. The noble Lord spoke of the effects of this measure on Ireland; and he illustrated his view by saying that Irish estates were generally heavily burdened, and that the landlords there had no means of contributing to the improvement of their estates. Now, the present measure could only injure such landlords as those in the way of reducing their rents, and thus the noble Lord was led to use the old argument formerly brought forward in the House of Commons, where it was scouted by the noble Lord himself, that the use of a Corn Law was to raise rents, in order to enable landlords to pay their mortgages. It was a naked and explicit avowal of self-interest—it was plainly telling the House to keep up the existing system of Corn Laws, in order to enhance the value of land and increase rents. Was that the ground on which his noble Friend was prepared to go to the country with this question? Something of the same kind fell from him in the course of his first speech. In alluding to what was said in the other House by the Prime Minister, his noble Friend observed that perhaps that Minister would find a pauperized aristocracy as difficult to manage as a proud aristocracy. If an agitator had used this language—if it had been said, in effect, that rents depended on the Corn Laws, how indignant would his noble Friend have been? But when translated into its proper meaning, the language of his noble Friend was, that the Corn Laws were established for the benefit of a pauperized aristocracy. His belief was, that if there was one part of the Empire which would gain more than another by the abolition of these laws, it was Ireland, as it would tend greatly to lessen that keen competition for land which was the great grievance of Ireland, inasmuch as by promoting manufactures in that country it would divert the industry of the people into other channels besides that of the cultivation of the land. The noble Lord had brought forward the old argument, that cheap corn would produce lower wages, and that, in the face of facts, that when corn was cheap wages were invariably high. It had been uniformly found so in this country; and he defied any noble Lord opposite to point out a country where there was peace, order, and security, in which cheapness of corn was not accompanied with high wages. If there were no such restrictions as those experienced under the serf system of Poland or Russia, cheap corn was invariably accompanied with high wages. Indeed, the noble Lord had himself said so. [Lord STANLEY: No, I did not.] The noble Lord had admitted this operation of prices, if not in words, yet in effect. The noble Lord had been shown that in those countries where cheap corn was produced, the wages of labour were high. [Lord STANLEY: Where?] In America, in New Zealand, and in other places.

LORD BROUGHAM hoped the noble Lord opposite (Lord Stanley) would now allow that his speech had been answered. [Lord STANLEY shook his head.] Oh! no doubt the noble Lord did not think the answer satisfactory; perhaps it was less satisfactory to him than to anybody in the House to hear it, coming unexpectedly upon him as it did, when he was in such a state of exultation and exaltation after the success of his able performance, received with the utmost applause by a most numerous audience, especially the parts that were most flimsy, proceeding from the mouth to the ear, but not coming from the brain to the heart, adapted most skilfully to catch that applause by soothing every feeling that was most boiling up in the breasts of the audience, and flattering every prejudice under which they were not labouring, but exulting; as a sacred authority, he thought, said, "glorying in their chains." At such a moment, it must be most unsatisfactory to his noble Friend to have the cup of pleasure, from which he was drinking deeply, dashed from his lips by the little accident of his other noble Friend getting up and answering that speech. His noble Friend (Earl Grey) had, point by point, gone through the whole of it, with the exception of two; and to these two points, by way of supplement, he was about to address their Lordships. It was with very great regret that he did rise to speak, near as it then was to one o'clock in the morn-

ing, and when so many must be disposed, having gloated over the speech of his noble Friend, having exhausted themselves with rapturous plaudits, being fatigued in their lungs and throats with their exertions, and when they must be preparing for repose, as from such a state of excitement it was necessary for them; for from such excitement they must readily fall into collapse and inaction. But though they must be detained for a short time from their slumbers, yet he must, as a matter of honour, address their Lordships. He really could not excuse himself to their Lordships if he did not, nor, indeed, would their Lordships at large stand excused; for his noble Friend (Earl Stanhope) had said that they were so feeble, so imbecile, so wretched a set, that they were not able to answer the former speech of his noble Friend (Lord Stanley). That he (Lord Stanley) had not heard what he considered to be an answer to it was plain, from the fact that in his own observations he had carefully avoided making an allusion to any one of those answers which had recurred at the time he made his speech. His noble Friend, intoxicated with the success of that former speech, and not having recovered, after the lapse of two or three weeks, his sober senses, he must how be content to hear somewhat—Whitsuntide being come, Pentecost being fully come, and the time of tongues having arrived, when nobody could be expected to be silent—yet now ventured to say that no one had attempted to answer his speech until to-night, after a fortnight's preparation. Now, he (Lord Brougham) did recollect, what but for his noble Friend (Earl Grey) he might otherwise have forgotten in the multiplicity of speeches, that not a fortnight had elapsed—that not a moment was allowed to pass away, when he himself (Lord Brougham) rose and spoke for an hour and a half in reply to his noble Friend. It might be said that his answer was insufficient: but why insufficient? It was shorter by an hour or two than his noble Friend's speech, he admitted; but why? Was it because he thought the speech of his noble Friend unanswerable? Very much the reverse. No; but he was prevented from going more fully into the matter by his noble Friends below going away. They heard the speech of his noble Friend, and then they retired. It was not to be supposed he would seek to convince those already convinced; arguments were intended to convince opponents, but the opponents had disappeared; and if on that occasion his noble Friend was not fully answered, then it was no fault of his. He had gone over his able arguments shortly because of the reason just assigned; but he had spoken at the moment, and not after any delay at all. But now, there were two points which the noble Earl (Earl Grey) had omitted to notice, and to which he (Lord Brougham) felt compelled just to direct their Lordships' attention by way of supplement. The first was one of the most extraordinary hallucinations—but that was too argumentative a term—one of the most outrageous blunders he ever heard upon any political matter; he would not say "political economy," because noble Lords professed it to be their qualification for this discussion that they knew nothing of political economy: a right rev. Prelate had done so that night. With the extraordinary ability and acuteness of the noble Lord (Stanley), and his quickness in perceiving the absurdity of any other man's absurd arguments, he (Lord Brougham) marvelled beyond expression at the blunder he was about to mention, and he had communicated his wonder to the noble and learned Lord on the Woolsack, who partook of it. The noble Lord began, "There is to be a fall in the price of corn." That was always assumed; but nothing was so convenient as begging the question, especially upon a subject of nicely balanced evidence and greatly disputed fact. Always beg the question. Some begged it gently, cunningly, slyly; you would think they were quietly arguing, when out flashed upon you at last what they had been doing, namely, assuming the very thing in dispute all the while. Others did it in a more open, avowed, sturdy manner, and were what you Lord call sturdy beggars. The noble would (Lord Stanley) was generally of the gentler kind, and so much the more dangerous. Said he, "There will be a great fall in the price of corn; and, if corn falls, the money price of every other commodity will fall too. Now, the value of the currency rises as the value of commodities falls." Granted. "Then," cries he, "if the value of money rises, look to it, you who have 800,000,000*l.* of debt." God forbid any one should deny that! that was not "begging the question." But then came the consequence—"because the price of commodities will fall one-fifth, and the value of money, therefore, will rise one fifth, you will have added a fifth to all the public burdens." Did mortal man ever

hear of such outrageous nonsense? A man had an income of 100*l.*; his taxes were 10*l.*; he paid the 10*l.* as best he could while the prices of corn and other commodities were high. Then comes the Corn Bill; down fall the prices of corn and of other commodities; and, therefore, his income of 90*l.*, after deducting taxes, remained the same. That was the hypothesis. [Lord STANLEY: No, no!] Oh! the noble Lord referred to an entirely different argument. The public burdens remaining nominally the same, the income was increased in value one-fifth; it would buy more corn; therefore, argued his noble Friend, it was a larger sum. But what was the truth? The possessor of that income was just one-fifth more able to pay than before.

LORD STANLEY begged to state that what he dealt with was the case of a fixed income. The diminution of the price of every article consumed raised the value of money. The person who had a fixed income in money was benefited; because a fixed income gave a greater command of commodities, and because a party who was under an obligation to pay in money had to give a greater portion of his substance for the purpose of dischaging that obligation. The creditor, therefore, gained by the advance in the value of money, and the debtor had his burden increased, having to pay the same amount of money, but that money representing a larger amount of commodities.

LORD BROUGHAM asked whether he had not given precisely the same statement of his noble Friend's doctrine? His income, he supposed, was 100*l.* He gave 10*l.* to his creditor; that he admitted was worth more than it was before. But he, the debtor, was not worth less. He had 10*l.* to pay as before; but he did not lose, nay, he greatly gained, because he had the benefit of the reduction in the price of commodities on his whole expenditure. It was the bane of the protection argument from beginning to end, that those who pressed it did not believe that one could gain without another losing. The 90*l.* which remained bought one-fifth more commodities than before; and therefore he was a great deal better off, and so was his creditor; but he, the debtor, was none the worse off that his creditor gained while he gained himself. But one word more upon a more serious point. A noble Lord had asked, amidst loud cheers, in reference to the disputed despatch from Canada, and the expectation expressed that later intelligence might show a different state of feeling in that Colony, "Why confine your appeal to Canada—why not make your appeal to England?" There could not be a more plausible argument; but he protested against it on constitutional grounds. They lived under a representative Government, God be praised—a Government which was not to depend upon constant appeals to the people, whose function it was to appoint not delegates, but representatives; and those representatives were sent to Parliament to deliberate on public affairs. The monster evil of the present day was that the constituents who had delegated that trust to their representatives, niggardly withdrew it, and interposed themselves to decide on those questions which their representatives were appointed to consider, instead of first choosing them and then simply meeting from time to time to express their opinions. The constituency called upon its representative to come before it, and then decided for both itself and him. That was not the Constitution of England. But it was said that was different from making an appeal to the people by dissolving Parliament; and it was held that when a question was vital or paramount, such an appeal should be made. What question was there that had not in its turn become vital or paramount? The intrigues of party would make the most trumpery question paramount at any given time. If, because a question was called a paramount question, Parliament must be dissolved, and an appeal made to the people, there was an end to the representative system — that grand improvement in the administration of public affairs under which the advantages of liberty coexisted with the benefits of extensive territory; they might bid adieu to that system; they were governed by a democracy, and there was an end to representation. Maynooth was a great question; but who asked for a dissolution? No doubt some men went before their constituents; some lost their places in the counsels of the country, but there was no talk of a dissolution. That was the true language of the Constitution. The late Lord Grey — than whom, among his thousand greater qualities, no man ever possessed a more accurate knowledge of the principles of the Constitution—held that persons were sent to Parliament to consult for the good of the Empire, and not for particular interests. Again, in

1829 there was no call for a dissolution on the Roman Catholic Relief Bill. But he was going to state a much stronger case, in which every man was pledged to the teeth to take a particular course. What passed when two Parliaments were elected, one the Irish Parliament of 300 representatives of the people of Ireland, and the other the Parliament of Great Britain, consisting of 568 representatives? Every Member was chosen in both countries for an express purpose; the Irish Members to represent the Irish people in the Irish Parliament, and the British Members the British people in the British Parliament. Then came the question of the Union. If ever there was a case in which the strict letter of the Constitution might be bent, that surely was the case, because two Parliaments were absorbed into one without any appeal to the people. That was a strong measure. What said Mr. Fox, who objected to the principle of the Union, and to the manner in which it was carried into effect? As to the principle, he thought Mr. Fox wrong; but as to the manner in which it was carried into effect, he thought he was right. Mr. Fox said, when the argument of pledges was used — and he (Lord Brougham) well remembered his saying it—that there was no exception to the rule; that Parliament was chosen for general purposes; and that, if they once refused to pass a measure without an appeal to the people because it was said to be important, then every question would successively become important, and there would be an end of representative government. He did not mean to say that a case might not arise in which a dissolution might be necessary. If Ministers differed from Parliament, or if the Houses differed in opinion from each other, the only course which could be taken would be to dissolve. The noble Lord opposite (Lord Stanley) had been pleased to say that his noble Friend near him (Lord Monteagle) had not answered — no, not even adverted, but had attempted to advert to his speech. He would, therefore, to use the noble Lord's own expression, attempt to advert to his speech for the purpose of making but one further observation. The noble Lord (Lord Stanley) had solemnly adjured their Lordships to look sharply as to what they were about, because they had been called on to change their opinions at once. [Lord STANLEY: No! — to change their votes.] Well, their votes; and it was, he granted, a safer expression to say votes than opinion; for you cannot be mistaken in that; it reminded him of an old gentleman once correcting him when he (Lord Brougham) talked of an old maid—"Don't use that phrase; it may be inaccurate." "The word old?" he (Lord Brougham) asked. "No," said his friend, "the other word; it is safer to say, old single women." So he agreed with his noble friend, that it was safer to speak of votes being changed than opinions. But also that change was a more important thing, no doubt; for, said the noble Lord, see what a dreadful state of agitation the country would be in next year, or whenever a general election took place; and then, possibly, the people of England would elect a House of Commons which would call on their Lordships to change their vote back again. This was very plausible, but it seemed to him (Lord Brougham) to have no weight. The same argument might be used on every question on which the country was divided; and the result would be that their Lordships, if they attended to such an argument, could never safely pass any important measure especially towards the end of a Parliament. His (Lord Brougham's) belief was that the country, and even those noble Lords who had expressed great alarm with respect to this measure, would not arrive at the next year without finding those fears chimerical. In conclusion, he must say that he preferred the total repeal of the Corn Law to any modification of it. Against the total repeal he knew several arguments might fairly be urged: among others, the extent of the experiment. The noble Lord was correct in saying that till 1771 there had been no free trade; but since that time all their legislation had been towards free trade, with the exception of the Corn Bills of 1815 and 1828. But he admitted that the present was a great experiment, and that it might have been done more safely, that it might have been better done, had it been done gradually, and with less surprise —less of concealment, he might say—than had accompanied it. He was sure, had a different course been pursued with respect to the measure, it would have saved them much trouble in carrying it through that House; for he verily believed the sudden and secret manner of urging it forward was a main ground of its disfavour with their Lordships. Still, however, he was for a total repeal of the principle of protection; because that was, in his opinion, the only final and conclusive

settlement of the question. The sliding-scale always had the objection, that it carried within itself the seeds of change and decay. And now he would appeal to the noble Lords who represented so powerfully the great landed interest, and the great solid and permanent interests of the country; and he beseeched them to beware how they lightly rejected the present measure, which went at once, and not indirectly or circuitously, to their benefit as landowners; because, being final, it let all men — landowners, farmers, capitalists — know where they were. Let the House think of the millions of capital now locked up, as he knew of his personal knowledge, waiting until this question of the Corn Laws should be finally settled. Not one guinea of that capital would go out while all was in suspense—not a guinea would have gone out towards the land under a fixed duty which on the face of it could never be regarded as a final arrangement of the subject. Let them settle the question, finally and for ever settle it, and that capital would flow throughout the land for purchase, for lease, for improvement, for loan. These were the grounds, in addition to those he had advanced when he last addressed their Lordships, why he should vote for going into Committee on the Bill.

The DUKE of RICHMOND said, it was not his intention, at that late hour, to trouble their Lordships at any length; but he wished to make an observation or two after the eloquent speech of his noble and learned Friend, which, though it did not contain much argument, was a most amusing display. He agreed with his noble and learned Friend in what he had said with respect to the mischief which would arise if, instead of Members of Parliament being sent, the country should send delegates to the House of Commons; but he did not agree with him in every other part of his address. In 1829, he had pressed upon the Legislature and the Government the necessity of dissolving Parliament; and he did the same thing now; and he did so for the same reason. He maintained that in 1841 the question of protection or no protection was that which had been re-echoed on every hustings throughout England. He did not approve of Members of Parliament giving pledges to their constituents; but he did not approve of their breaking the pledges which they had made; and during the period that he had the honour to represent a city in the other House of Parliament, he had invariably refused to become pledged to any particular measure; but this he would say, that if he was pledged to pursue a particular measure, no power on earth should induce him to forfeit his pledge, and to occupy a position which he should then feel he had obtained by fraud. But he thought the course which unfortunately Her Majesty's Ministers had pursued on the present occasion, would lead to making more delegates than before; for representatives were formerly believed to be honourable men, in whom confidence might safely be reposed. On the one side a man said, I am a Conservative; on the other, a man said, I am a Liberal; and the constituencies of the country, generous as they were, took these Members at their word, and returned them to Parliament. But, now, would these constituencies believe them—could they credit the assertions they made? Would they not know—would they not remember the 112 that unfortunately, if they had not broken their direct pledges, had at least broken the faith which their constituencies had put in them; and this, therefore, in his opinion, would lead to more delegates. His noble and learned Friend said that they, as landed proprietors, ought to let this question be immediately carried; and that he himself was for an immediate free trade in corn. But he would ask their Lordships whether the present Bill was for an immediate free trade in corn? Did they expect to get rid of agitation when they passed this Bill, while for three years they were to have the sliding-scale? Upon his honour he could not find out why, except that the men who had broken their pledges wished to look opposite and see men who were in favour of a fixed duty violate their opinions by voting for a sliding-scale. That was the only way in which they could account for it; and they all knew that the right hon. Gentleman at the head of the Government was a very sagacious gentleman, as it was called; but on this point he would not dwell, because he never had attacked Sir Robert Peel personally, and he never would. He had a right to attack his conduct — he would not presume to judge of his motives. Well, but it was said their Lordships ought not to encourage agitation. Did not his noble and learned Friend know that noble Lords in that House were but a small body of the landed interest in the country? Was it to be supposed that the landed interest was composed of a certain number of people who frequented the saloons of London, who belonged to the

clubs, or attended Almack's? Why, the agricultural and the landed interest of England was a great and important body: their Lordships were not even entitled to be called their representatives; they were too few in number for that, and their possessions were much larger than those of noble Lords. But when they told him that he could prevent agitation if he wished it, he proudly avowed that, instead of preventing agitation, he would do his utmost to recommend it. He would do his utmost to tell the farmers of England that they had been ill treated, and to recommend them to exert themselves in every one of their counties, and in every one of their boroughs. The question was stated by his noble and learned Friend to be one in which the landed interest alone was concerned; but he would say boldly that the operatives in the manufacturing districts were hostile to this measure; and it was well known that the counties of England were hostile to free trade, or the Anti-Corn-Law League would not have gone and bought votes for these counties. The manufacturers knew well how to expend their money; and they would never have gone and bought fictitious votes in the counties if they had not known that the real votes in the counties were against their schemes. He believed it was a fact that the Anti-Corn-Law League had never, up to the present time, ventured to hold a public meeting in any town in this country without giving tickets to those who attended; and this was a proof that they knew the operatives were hostile to protection. His opinion, however, on this subject being well known, and as he had on a former occasion received the attention of their Lordships, he would assure them that he should not have now risen to trespass on their attention, if it had not been for what he conceived to be a most unjustifiable attack which had been made upon him by the right rev. Prelate with the blue ribbon around his neck (the Bishop of Oxford). That right rev. Prelate stated that the landowners of England knew nothing whatever of their labourers; that they only saw them at their public meetings; and that the Clergy alone, forsooth, knew anything of the habits and wants of the people. He should not have taken this as personal to himself if the right rev. Prelate had not condescended, in the very next paragraph of his speech, to take notice of a circumstance which he understood to have been mentioned in one of the newspapers of the day, where it was said that at a public meeting the labourers drank, out of empty glasses, the health of their landlords. He understood that there was a report of a meeting in one of the London papers, which was held on Tuesday last, and at which he filled the chair. The right rev. Prelate (the Bishop of Oxford) had made, he thought, some allusion to that meeting; and as the right rev. Prelate had landed property in Sussex, near his, he thought he might have alluded to him when he said the landholders were deficient in the duty they owed to their poorer brethren. If that were his intention, it would have been more manly for him to have avowed it. He listened to the eloquent speech of the right rev. Prelate with pleasure, at the talent which it displayed; but he looked in vain for that Christian charity which ought to be manifested by all, and more particularly by a young Prelate of the Church, one of the youngest Bishops who ever sat in their Lordships' House. He could well understand the gratitude which the right rev. Prelate felt towards Sir Robert Peel, and found no fault with him for that; but he must say that the right rev. Prelate ought not to have made those charges; and he deeply regretted the allusion which had been made to that meeting, because three or four years since he had the satisfaction of seeing the right rev. Prelate upon a similar occasion, which not only met with his approbation, but with the approbation of the Bishop of his diocese, and the numerous Clergy who were in the habit of attending those meetings The gentlemen of the county had held these meetings for some years back; and he did not think there was anything in their nature which ought to bring upon them either the contempt or the ridicule of their Lordships. They were got up for the purpose of rewarding the honesty and fidelity of the agricultural labourer, who obtained a premium upon the presentation of a certificate of good moral character, and the performance of his Christian and social duties in a proper manner. The labourer dined there, and considered the day upon which this meeting was held as one of the pleasantest in the whole year. There was no intoxication—all was morality and good order. The right rev. Prelate said, the labourers drank the landlords' health out of empty glasses; but he (the Duke of Richmond) could not see how a man could drink out of an empty glass. That reminded him strongly of a saying of Earl Spencer, who, when charged with having uttered something ab-

surd, exclaimed that he had never uttered such nonsense because he was not an eloquent man. He left the House to say how far the comparison might be carried in the present instance. Notwithstanding what the right rev. Prelate said, he would still encourage those institutions, which he thought promoted good feeling and confidence between the labourer and the employer, and were, in fact, productive of the greatest advantages. There was another remark of the right rev. Prelate which he did not perfectly understand. The right rev. Prelate said that the display of friendship for the Established Church came from an unexpected quarter. Now, he (the Duke of Richmond) always supposed the protectionists to be the strongest friends of the Established Church; but he supposed they were now no longer to be considered so. He would just make one remark on the subject of tithes. He consented to the passing of that measure, because it would set the matter at rest; but no power on earth should have induced him to support that Bill if he had thought it was intended to get rid of protection altogether, and keep the average of the tithe at seven years.

The BISHOP of OXFORD said: I desire to say a few words in answer to the charge which the noble Duke has brought against me. I can assure the noble Duke that one result at least has followed from the contiguity of my small property in Sussex to his large domain: it has made me acquainted with the noble Duke's kindness, care, and attention to the state of the cottagers and the peasants in that county; and I therefore beg the noble Duke will believe what I say most unfeignedly and unreservedly, that if in the heat of debate, not being particularly experienced in debate, I have said anything of the noble Duke which impeached his character in that respect, it was most unintentionally said, and is most sincerely regretted. I can assure him that even if the compliment which he was pleased to pay me, for what he kindly called the talent shown in my speech, were deserved, that, in my estimation, would be a miserable set-off for any lack of charity which such a speech exhibited. I can also assure the noble Duke that I did not in the least degree find fault with that meeting of the peasantry to which he has alluded. Three years ago, I myself, I remember, took a part under his auspices in that very meeting; I have aided to the best of my power similar institutions in other places. I by no means undervalue them; but what I meant to say, however inadequately I may have expressed it, was that such meetings did not at all reveal the real sufferings of the peasantry—that we were not to judge of their feelings as to the present state of the laws and institutions of our country, by the passing excitement produced on such occasons—that this was rather to be judged of by following them home to their cottages in their daily struggle for a livelihood, and seeing then how they do feel; when we should find that many of the institutions of the country are felt by them to bear hard upon them, and in their opinion, to require alteration. I once more beg to thank your Lordships for the kindness with which you before heard me, and to beg the noble Duke, if he felt hurt by what I said, to receive the assurance of its having been my intention to say nothing whatever which could personally hurt the feelings of any noble Lord.

Debate adjourned.

House adjourned.

HOUSE OF COMMONS,

Friday, June 12, 1846.

MINUTES.] PUBLIC BILLS.—1°· Churches; Landlord and Tenant (Ireland); Ejectments, &c. (Ireland); Leases (Ireland).

2°· Steam Navigation; Wreck and Salvages.

3°· and passed. Railway Companies Dissolution.

PETITIONS PRESENTED. By several hon. Members, from an immense number of places, complaining of Refusal to grant Sites for the Erection of Churches for the Free Church of Scotland.—By Mr. Aldam, from Inhabitants of the Town of Thirsk, for the Adoption of Measures for promoting the Due Observance of the Lord's Day.—By Captain Duff, from Secular Clergymen and Laymen of the Town of Banff, and its Vicinity, professing the Roman Catholic Religion, and by Mr. Ricardo, from Roman Catholic Inhabitants of the Village of Cowbridge, in favour of the Roman Catholic Relief Bill.—By several hon. Members, from various places, against the Union of the Sees of St. Asaph and Bangor, but in favour of the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. Wilshere, from Merchants, Shipowners, Manufacturers, and other Inhabitants of the Port of Great Yarmouth, praying that all Expenses for the Erection and Maintenance of Lighthouses, Floating Buoys, and Beacons on the Coasts of the United Kingdom, should be henceforth defrayed out of the Public Revenue.—By Mr. Morgan, from Ratepayers of the Parish of Llandogo, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Sir James Graham, from Officers of the Longtown Union, for a Superannuation Fund for Poor Law Officers.—By Mr. Muntz, from Members of several Religious Societies, and others, for the Abolition of Capital Punishments.—By Mr. Owen Stanley, from Owen Owen Roberts, of Bangor, complaining of Treatment of Lunatics in Wales.—By Mr. G. Hamilton, from Solicitors of Dublin, for Alteration of Protection of Purchasers, &c. (Ireland) Act.—By Mr. Forbes, from Cromarty, for Alter-

ation of Prisons (Scotland) Act.—By General Morrison, from Alloa, for Repeal of the Corn Laws.—By Mr. W. Williams, from Rhayader, for Extension of Education in Wales.

POISONING IN NORFOLK.

An HON. MEMBER begged to ask the right hon. Baronet (Sir James Graham) whether any steps had been taken on the part of the Home Office to institute further inquiry into the late awful cases of poisoning in Norfolk, and to prevent the possible repetition of such crimes. He wished to know whether the attention of the registrar-general of deaths had been directed to the subject, and whether it would not be advisable for all registrars to refuse to enter notices of sudden death, until inquiry should have been instituted ?

SIR J. GRAHAM : The question put by the hon. Member was one of very great importance, and the subject to which he had referred one of very great consequences. The inquiry instituted by the Crown had closed, but the report had not yet been received by him. With regard to the other question, and the suggestions of the hon. Gentleman, he must observe that it was the duty of the registrar of deaths to receive from a householder an account of the death (with its cause) of an individual in his district, and to enter the statement so made; and positive instructions had been issued that the registrars should be satisfied as to the accuracy of the statement. But as to refuse to enter a sudden death when there should exist no suspicious circumstances to occasion a doubt as to its fairness, he thought such a proceeding would be most vexatious. He would take that opportunity of stating to the House what he believed to be a serious cause of the commission of these crimes. It was the infrequency of coroners' inquests throughout the country. In the case alluded to, it appeared that no less than twenty persons had lost their lives by poison, administered by one individual, without any inquiry having been held. Any person having reason to think that death had occurred under suspicious circumstances, had a right to call for an investigation. But he regretted to say that, during the last few years, so much jealousy had arisen at courts of quarter-session with regard to the charges consequent upon holding those inquiries, as to prevent their being holden ; and in his opinion inquests had not been held in a great many instances in which they ought to have been. Some of the magistrates of Devonshire had come to the resolution that they would not allow expenses where the verdict on an inquest had been "died by the visitation of God." The consequence had been that at Ilfracomb a coroner had refused to hold an inquest because his expenses would not be allowed. This course had operated most injuriously in reference to the performance of their duties by coroners, and inquests had in many cases been omitted that ought to have held.

CHURCH OF SCOTLAND AND THE DUKE OF RICHMOND.

MR. F. MAULE referred to what he had said on Wednesday last, and to the mistake that had been committed in some quarters, by supposing that he had placed his noble Friend the Duke of Richmond in the category of those who had refused sites to the Free Church of Scotland. He found that what he really said had been correctly reported in these words : "He next came to the case of the Duke of Richmond; and he would not have referred to the case of his noble Friend, if it had not been for the assertion which had fallen from him in another place, that the Free Church of Scotland had shown a disposition to cavil at the offers made to them of sites; and the noble Duke instanced a case which he (Mr. Maule) believed to be his own." Immediately afterwards he had gone on to state, that, so far from not granting sites, the Duke of Richmond had granted or offered not less than twelve, eleven of which had been accepted, on terms on which he thought parties would hardly like to invest their property ; he had added the reason why the twelfth site had been refused. Thus he was far from connecting his noble Friend the Duke of Richmond with those who had refused sites; and he (Mr. F. Maule) should be extremely sorry if, after the noble Duke's conduct to the Free Church, an erroneous impression were to get abroad as to the course he had pursued.

LANDLORD AND TENANT (IRELAND).

MR. O'CONNELL availed himself of the Order of the Day for resuming the adjourned debate on the Protection of Life (Ireland Bill) to express his regret that he had not been able to be present yesterday when the noble Earl opposite (the Earl of Lincoln) made his speech on introducing his three Bills. He hoped he should not be considered arrogant if he apologized for his absence; but he was at a meeting on

the important subject of the education of Roman Catholics, which he felt bound to attend. Had he been able, he should have had great pleasure in listening to the speech of the noble Lord; and even through the not very lucid medium of the published reports, he saw that the noble Lord had deeply considered the question on which he enunciated his views. The tone and temper seemed excellently suited to the occasion; and had he (Mr. O'Connell) been in his place, he should have said a few words merely to direct attention to some principles he deemed of importance. He should not detain the House more than a few minutes, and he hoped he might be allowed now to proceed. In the first place, he would remark that the noble Lord's measure was too retrospective; it did nothing for the existing tenants. The great object was to produce tranquillity in Ireland; and in order to accomplish that end the Bill ought to be made applicable to the present race of tenants. It might be urged that their expenditure upon the land had not been much, since they had no certainty of being remunerated. The attempt ought to be made to give the occupiers fixity of tenure—words frequently assailed, but implying what it was most desirable to accomplish for Ireland. Next, he would direct the attention of the noble Lord to the evidence respecting the tenant right in Ulster. The witnesses had not only been numerous, but most credible; they were persons incapable of deceiving, and they all declared that the tenant right in Ulster was a great source of prosperity and tranquillity. It could not be more strongly recommended to the House than what had been stated regarding it by the agents of the Marquess of Londonderry and Lord Lurgan. He feared that the Bill as it stood might induce many landlords to combat with their tenants; and in that respect it might have a very bad effect. He also submitted that compensation to tenants ought to be estimated at the time of the expiration of their leases; whatever improvement had been produced on the land ought to be given to the tenant, and the consequence would be that the landlord would be better secured in future. It would operate as an inducement with him to grant new leases to tenants, who would have claims at the expiration of their terms. As to the difficulty of ascertaining how much the land had been improved, he might observe that the same difficulty existed at present. A very little alteration in the machinery of the Bill would give periodical ascertainments of what had been expended in labour or in money upon an estate. At present the law respecting the planting of timber was analogous to what he desired to see it: at present the tenant had not only the full benefit of the crop at the expiration of his lease, but he was entitled to one cutting after that expiration. He had taken the liberty of throwing out these suggestions, being most anxious to assist the noble Lord in carrying out his objects. He was extremely desirous that the Bill should be read a second time, and then referred to a Select Committee for such improvements as it might be thought capable of receiving in order to render it a most beneficial measure. He was certain that it was the wish and intention of the noble Lord to make it so; but he had considerable apprehension that in its present form the measure was not calculated to do all the good of which it was susceptible.

POOR LAW.

MR. CHRISTIE wished to put a question to the right hon. the Home Secretary, and hoped the right hon. Gentleman would be able to give a satisfactory reply. It was, whether, on a former day, when the right hon. Baronet answered a question relative to the administration of the Poor Law, he was informed of the existence of a letter, of which he made no mention, and which was completely opposed to his answer? He (Mr. Christie) had called the attention of the right hon. Baronet to two cases that had come before the public, regarding two women, the mothers of infants, who, on leaving the workhouses of the Wootton Bassett and Ledbury unions, had had their children stripped. The question he had put on a former day was this:—"Whether the attention of the Poor Law Commissioners had been directed to the case of Elizabeth Butcher, tried at Salisbury on the 12th day of March, for the murder of her infant child, and acquitted, the child having been stripped of its clothing on the mother's leaving the Cricklade and Wootton Bassett workhouse; and to the case of Harriett Bowkett, tried at Hereford on the 30th of March for the exposure of her infant child with intent to murder, and acquitted of the intention to murder, the child having been stripped of its clothing on the mother leaving the Ledbury workhouse; and whether the stripping infants

of the clothes which have been supplied in the workhouses, where the mothers have no other clothing for them, when they are taken out of the workhouses, is ordered or sanctioned by the Poor Law Commissioners?" The right hon. Baronet had answered him by reading an extract from a letter, addressed by the Poor Law Commissioners, on the 5th of February, to the board of guardians of the Wootton Bassett union. The extract read by the right hon. Baronet was as follows:—

"The Commissioners think it right to state to the guardians, that if a woman delivered in a workhouse of a bastard child desires to leave the workhouse, and has no provision of clothing for the child, she may apply to the board of guardians or to the relieving officer, and they may make her the necessary allowance as for a case of emergency under the first exception to Article 1 of the general prohibitory order. The guardians may likewise, if they think fit, empower the master of the workhouse to furnish clothing for the child in cases of this sort, where there is not time for the woman to make an application to the board of guardians or the relieving officer."

To the case of the Ledbury union the right hon. Baronet had made no allusion in his answer, and he (Mr. Christie) had been surprised by the omission; but he had afterwards availed himself of an opportunity of recalling the attention of the right hon. Baronet to the subject, and of asking whether any notice had been taken of it by the Commissioners. Instead of answering, the right hon. Baronet complained that he had had no notice of the second question; and the inference he (Mr. Christie) had drawn at the moment, and which had been drawn by the public, was, that in the two cases the boards of guardians or the workhouse masters were in fault. In the case of the Ledbury union this inference would certainly be most unjust, because it appeared that immediately after the case had occurred, the board of guardians met and passed a resolution for the purpose of giving the master of the workhouse the very power regarding which the Poor Law Commissioners had written. The case was reported to the Commissioners, and they immediately replied that the guardians had no power to do what they had done. Their letter was in these terms:—

"Poor Law Commission, Dec. 19, 1845.

"Sir—I am directed by the Poor Law Commissioners to acknowledge the receipt of your letter of the 16th, reporting a resolution of the board of guardians of the Ledbury union, 'That a discretionary power be given to the master and mistress of the workhouse to clothe any child in quitting the workhouse which may have been born in the workhouse, and not left the workhouse previously.' The Commissioners desire to explain to the guardians, that the only relief which a master and matron can, upon their own responsibility, or at their own discretion, afford, is that provided by Article 1 of the general workhouse rules, namely, the admission of a destitute person into the workhouse under circumstances of sudden and urgent necessity. The guardians cannot delegate to these officers a discretionary power to grant relief in clothing. The guardians themselves can alone give such relief, and they must issue the requisite direction in each particular case. If in any such case the relief afforded by the guardians should be at variance with the provisions of the general prohibitory order, it should be reported to the Commissioners under Article 4 of that order.

"To Mr. Hughes."

In the letter from which the right hon. Baronet read an extract on the 8th of April, the direct contrary was stated; and he (Mr. Christie) wished now to know whether, when the right hon. Baronet gave his answer on that occasion, he was informed of the existence of the letter just read? His other question related to the statement of the right hon. Baronet that the Poor Law Commissioners had taken a legal opinion, which was opposed to that he (Mr. Christie) had expressed. He was informed that no case had at that time been submitted to counsel by the Commissioners, and that the only opinion given was from one of their assistant secretaries. Since that date a case had been drawn up, and submitted by the Commissioners to counsel; and he (Mr. Christie) wished to be informed whether any opinion had yet been given on that case, and whether the right hon. Baronet would consent to produce the case and the opinion?

Sir J. GRAHAM began his answer by remonstrating against the interposition of questions after the Order of the Day had been read for resuming the adjourned debate. He could not give a categorical reply to what had been asked; but as to the first inquiry he had no hesitation in stating that at the time the hon. Gentleman put his former question, he (Sir J. Graham) had not directed his attention particularly to the correspondence with the Ledbury guardians. The hon. Member had stated a portion of that correspondence, which rendered it necessary that he (Sir J. Graham) should lay the whole of it before the House. As an illustration of the inconvenience of these interlocutory discussions, he might mention that a Motion had been made for the production of the whole of the correspondence with the Ledbury union; it had been granted, and it would be placed upon the Table entire in all its

parts, and not garbled as the hon. Member had read it. When it was before the House, it would be open to the hon. Gentleman or to any other Member to found a Motion upon it if he thought fit. In answering, it would be necessary for him (Sir James Graham) to offer some explanation. The House might infer, unless it had watched closely what fell from the hon. Member, that the resolution of the Ledbury guardians referred to the clothing of infants. This was not so; but it gave "a discretionary power to the master and matron of the workhouse to clothe any child on quitting the workhouse, which may have been born in the workhouse, and not have left the workhouse previously." That resolution was communicated to the Poor Law Commissioners; and in answer to it, understanding it to apply to children generally, and not to infants, the letter of the Commissioners was directed. The Ledbury guardians explained that their resolution, though purporting to apply to children generally, was intended to apply only to infants; and on the 5th of January the Commissioners wrote a letter, which would appear in the correspondence, and which he (Sir James Graham) would take the liberty of reading:—

"Poor Law Commission-office,
Somerset House, Jan. 5, 1846.

"Rev. Sir—I am directed by the Poor Law Commissioners to acknowledge the receipt of your letter of the 23rd ultimo, in which you explain to the Commissioners the circumstances which led to the resolution passed by the board of guardians of Ledbury union, on the 16th ultimo, to the effect that a discretionary power be given to the master and matron of the workhouse to clothe any child on quitting the workhouse, which may have been born in the workhouse, and not have left the workhouse previously. The resolution of the guardians, as it at present stands, appears to the Commissioners to be far more extensive than the individual case stated in your letter would seem to require. The words 'any child born in the workhouse' might for anything contained in the resolution, be taken to extend to a child of ten years old, and such child might be leaving the workhouse without any parents. The Commissioners have no objection to the guardians authorizing the master to give clothing to infants leaving the workhouse with their mothers, and having been born therein, the mother having no clothes for the child. Care, however, must be taken that as little additional inducement as possible is held out, by means of any resolution of this nature, for women so situated to come into the workhouse for the purpose of being confined and of obtaining a supply of clothing for their children.—I have the honour to be, Reverend Sir, your most obedient servant,

"E. CHADWICK, Secretary.

"To the Rev. E. Higgins, Bosbury House,
near Great Malvern."

Such was the order of the Commissioners in January, nearly a month before there had been any discussion of the subject in the House of Commons; and the hon. Member would have seen it if he had only waited until the whole of the correspondence was upon the Table and in the hands of hon. Members. The hon. Member had also asked as to the advice taken by the Poor Law Commissioners on the point of legality; and he was, perhaps, not aware that they enjoyed the advantage of having two under-secretaries who were barristers, Mr. Poole and Mr. Lumley, and from these learned gentlemen they were in the habit of asking advice; if he did not mistake, the secretary to the Commissioners was not a member of the profession; but if he (Sir J. Graham) were correctly informed, all the points had now been submitted to the Attorney General, to the Solicitor General, and to another member of the Bar, for the guidance of the Commissioners. Unless some strong Parliamentary reason were given for so unusual a course as the production of a case and a legal opinion upon it, he must decline laying them upon the Table.

PROTECTION OF LIFE (IRELAND) BILL —ADJOURNED DEBATE.

The Order of the Day read, for resuming the Adjourned Debate on the Protection of Life (Ireland) Bill.

MR. ROSS said, that he should have been ready to vote with Ministers if the substance of the Bill had been in any reasonable degree answerable to its objects. Every measure of coercion must produce serious inconvenience to some parties, and the great ground for this measure failed, inasmuch as it was admitted on all hands that crime in Ireland had recently undergone a material diminution. The noble Earl (the Earl of Lincoln), in the course of his speech the other night, had made one important admission, viz., that all offences committed by men associated for the purpose of crime, had their origin in agrarian discontents. It had been allowed on all hands, though there might be differences of opinion as to the causes of the evils of Ireland, that there was no direct connexion between the atrocities complained of, and politics or religion. If Ireland had electoral, representative, or municipal rights equal to those of England; if her ecclesiastical arrangements were governed by principles of common equity or common sense; still he was of opinion that, owing to the

misrule of former times, and the disastrous condition of the country, statesmen would have to grapple with difficulties just as great as at present. It was to the causes of this unfortunate state of affairs that the House was bound to turn its attention with the utmost assiduity. He should be ashamed of filling a seat in that House, and of looking his countrymen in the face, if he did not struggle to obtain justice for the land of his birth and of his affections. The causes of the evils of Ireland had, in his opinion, been imperfectly stated and understood. Some attributed those evils to poverty; but only give him an abundance of potatoes and salt, and a mere roof to keep out the rain, and and an Irishman was as happy as a Member of Parliament. Others held that the curse of Ireland was absenteeism; but the truth was, that many of the estates of absentees—for instance, those of the London companies—were the best managed in the island. The peasantry had always been a wretched, down-trodden people; and their present melancholy condition was the inheritance of ages. The House had not yet forgotten the existence of 40*s.* freeholders, and the multiplication of them on estates with a view to elections. When they were abolished, a reaction commenced, and the owners of properties began the process which had been called extermination. He traced the misfortunes of Ireland in an especial degree to the want of employment; the presence of manufacturing industry in the north of Ireland was the cause of tranquillity unknown in other parts of the country. Looking, then, at the remedies that ought to be adopted, he would first speak of the measure introduced by the noble Lord yesterday. He did not think the alteration of the law as regarded tenant rights would prove a panacea for all the evils that existed through Ireland. There were other measures which, if adopted, would contribute much to the physical comfort and moral improvement of the population. The question respecting waste lands was one of the highest importance. He believed that a wise system might be devised which would provide for the wants of a large portion of the pauper population, now almost destitute, give means to persons residing in the neighbourhood of wastes, of locating their tenants upon them, and in time raise up a race of yeomen who would be a blessing and ornament to the country. The railways now in course of construction would no doubt prove of great benefit to the labouring population of the vicinities; and the benefit might be greater if Government would lend the aid of the public credit in cases where difficulty was found in raising the required amount of capital. A new naval station might be created in some of the western harbours or at Cork; for he considered that Ireland had a right to benefit by the public expenditure in this branch of the service. The introduction of manufactures more widely than at present, and the encouragement of manufacturing industry, would be a most important instrument for promoting general prosperity. For these purposes, and with a view to these objects, peace was indispensable. If these measures failed to produce the expected effect among the pauper population, then he said there was nothing for it but trying the strong hand of power, putting down outrage, and repressing violence by all the means that Parliament could devise, if it should even be necessary to suspend the Habeas Corpus Act. The people of Ireland had not confidence in the law of the land nor in its administration; and they had unhappily come to the conclusion that there was no way of righting themselves but by their own devices. He hoped they had now seen an end of arbitrary legislation for Ireland. The heads of Administration, as well as the leaders of Opposition, and that new party which had renounced allegiance to the right hon. Baronet, were all united in sentiments on this point. He hoped that they would see no more party warfare on that field, and that the only object kept in view by the Legislature would be the good of Ireland. The right hon. Baronet deserved the cordial thanks and gratitude of that country for what he had done. He knew the feelings of the constituency which he represented; and they believed that the right hon. Baronet would have done more, had he not been surrounded with difficulties. Whoever might carry on the work of amelioration, he congratulated the future Minister that he would enter upon his task under favourable auspices. He hoped they would have no more shifts and temporary expedients; as Ireland had suffered under systematic mismanagement, he trusted to see an attempt made by systematic good government to place her on a parallel footing with this country.

Mr. M. MILNES thought an English Member would best discharge his duty by stating as shortly as possible the grounds for the course he felt called upon to take

on this Bill. It was not one of the least disagreeable consequences of the present political conjunction, that every Member was thrown, in matters of this kind, entirely on his own judgment to make his own choice. They had no longer leaders on whom they could confidently rely, nor was this liberty impared by anything that had taken place in previous discussions on this question. This Bill came before them under very peculiar circumstances. It came down to that House, backed by a nearly unanimous vote of the Lords, and was presented to them as likely to produce a strong moral effect, if passed by that House in a manner at all resembling that which had characterized its reception by the other branch of the Legislature. It was to the moral effect rather than to the active enforcement of the Bill, that their attention was directed by Her Majesty's Government. He held that they would be perfectly justified in refusing to pass the Bill now, when all hope of moral effect from it had vanished. If Government had now possessed the same influence in that House as they had some time ago enjoyed —if they could have carried this Bill into full and immediate operation at the moment when these outrages were occurring in Ireland, he did not deny that a considerable and beneficial effect might have been produced—an effect similar to that produced by the Whig Coercion Bill, which he believed to have been beneficial in its immediate effects, and not the less so because it was never acted upon. The right hon. Baronet, in recommending this Bill to their notice, said, it was now clear that they must legislate for Ireland and Irish interests, not with English views or for English approbation, but in a mode to give general contentment to persons whose judgment would be trusted in that country. If there was any meaning in this declaration, how were they to carry the Bill into effect against the constant and determined opposition of Irish Members? Could it be supposed that the representatives of that country were unaware of the intent and meaning of the outrages that afflicted it? Could they suppose for a moment, if this Bill would really diminish the number of those outrages, for which, of course, the Irish Members felt just as much horror as the English, that they would not have readily co-operated with the Government, as English counties situated in the same way would have done? But they were now called upon to pass this measure in despite of the feeling of the Irish Members, and to pass an ultra-constitutional law in direct violation of the feelings of the representatives of the Irish people. They were called upon to do this, not by a Government able to accompany this Bill with great measures of social amelioration for Ireland—not by one strong enough to carry those measures in spite of opposing interests, but by a Government which he could only regard, to make use of a term he had employed before, as a Government *ad interim*. He admitted that if Ministers did retire from office on this unhappy question, they would take with them the conviction that this was not the policy on which they had generally acted towards Ireland. It was rather a fatal exception than the continuation of any rule; and he thought it would have been perfectly fair if Government had come down to the House and said that they thought the circumstances under which they proposed it were changed—that the outrages had diminished in number—that the continuous and resolute opposition offered by the Irish Members to the Bill would considerably impair its value; and, therefore, that a slightly greater relaxation of the principles they had formerly held would have made very little difference as regarded their character. In the estimation of every reasonable man, that would have been a just abandonment of an injudicious measure. He could not but consider the retirement of Ministers, to which he looked forward, under present circumstances, as a fortunate event. They had been carrying out measures of the same tendency with those of the Government displaced in 1841; it belonged to the Members of that Government to pass those measures, and to claim the full reward of their accomplishment. If the right hon. Baronet and his Friends were to have the glory of passing those measures into law, it was at least not unjust that the Government which they chose to displace on the principle they had since adopted, should now have a fair chance of regaining the places they then lost. Holding these opinions, he could not entertain any doubt as to the vote he should give. A gratifying circumstance attending the changes that might be anticipated was this, that if the Bill were lost, it would be lost by the act of that party who were generally considered the most strict and severe in their administration of Ireland. The Coercion Bill would be prevented from becoming law by the co-opera-

tion of those identical Members who, under other circumstances, might have been most ready to promote it. From whatever motives the Bill was rejected, the Gentlemen who rejected it would preclude themselves from taking, on any future occasion, any measure of greater severity against Ireland than the necessity of the case might imperatively demand. They sympathized with him in the hope that it was not by such means as these that Ireland would in future be governed; and that the happy day would come when the Irish questions which had long agitated that House would cease to exist, and there would be no difference in the character of their legislation for Ireland and for Yorkshire. Then would the nations be bound together as a happy and united people, determined by their manifestations of good will to consolidate the Union so strongly that the repealers could never hope to dissolve it, and thankful to Him who had placed them there, under the sway of our beneficent Sovereign, to deliberate for the advantage of a united people.

MR. POULETT SCROPE said: I wish to detain the House the shortest possible time; and to this end I shall condense what I have to say into the briefest, simplest, and plainest form. Her Majesty's Government say that the purpose of this measure is to put down criminal outrages and to protect life in Ireland. Now, Sir, these are objects which we on this side have as much at heart as any Member of the Government, and we will go any lengths really to effect them, But in order to put a stop to the system of outrage prevalent in Ireland, surely it is necessary to understand and to direct your remedies to its cause; to attack the root of the disease, not its symptoms merely. The noble Lord (Lord Lincoln) said the other night, "The whole body corporate of society is diseased—every relation of life is diseased." True, most true; but what is the disease? The outrages are not the disease; they are the symptoms only. What, then, is the disease itself, and what its causes? No one, I imagine, supposes these crimes to be committed out of a mere wanton spirit of evil. No one now attributes them to political agitation, or sectarian and religious animosities. Their real cause and character no one can now plead ignorance of, after the proofs that have been laid on the Table of the House by the evidence taken by successive Committees and Commissions. I have myself proved it to you long since. I will tell you once more, and I defy any man acquainted with the evidence to contradict me. The disease that affects the Irish peasantry, and causes them to commit or to sanction those shocking outrages which swell your constabulary reports—that disease which you say affects the whole body politic, and disorganizes society—is a deadly struggle among the people for life and the means of living—a frightful competition for the necessaries of life, for the means of existence. It is a war for dear life that rages more or less secretly and silently, but not the less fearfully, among the mass of the people in almost every corner of the land. The noble Lord, I own, startled me the other night by saying that only a small proportion of those crimes are of an agrarian character. Of course there may be different meanings attached to that word by different persons. But, at all events, the noble Lord's chief authority, the Devon Commissioners, calls them agrarian, and attributes them chiefly, if not entirely, to disputes about land; and this can be seen by a reference to the Report itself. The noble Lord next relied upon the evidence of Colonel Miller, the inspector-general of the constabulary, and Mr. Cahill. Colonel Miller, it is true, says that five-sixths of the criminal offences in Ireland are classified by the sub-inspectors of constabulary, from the reports sent by the constables, as other than agrarian. But the whole question turns on the meaning of this word, or what you choose to term agrarian. Now, I have taken, for the purpose of testing them, the Returns presented this morning of the criminal outrages perpetrated during the last five months, in the five counties which are declared to be the chief scenes of this system of outrage; and I have divided them into these seven classes, according to the causes assigned on the face of the Report to them, viz., agrarian, by which I mean quarrels about the occupation of land, rent, ejectments, severity of bailiffs, and conacre land. All these I think, beyond dispute, must be considered agrarian. The next class I have taken are quarrels for work at wages, such as the employment of strangers, or the turning off of labourers. The next class is offences connected with the price or scarcity of food, such as have not been unfrequent of late during the apprehension of famine. There remain some offences connected with the giving evidence or prosecution of parties implicated in the agrarian crimes themselves; robbery of

arms, offences to which no cause is assigned by the police; and, lastly, other offences of a miscellaneous character, not referable to the other heads. The result is, that of the whole 895 offences reported, 500 are of an agrarian character, 156 relate to employment and food, 31 to prosecutions, 70 are unknown, and 148 only, out of near 900, are referred to causes which appear to have no direct connexion with land or the means of living, or the support of that system of intimidation which is established by the peasantry to maintain themselves in their present livelihood. Three-fourths of the whole number of offences are directly referred, by the constabulary themselves, to quarrels for land, food, or work. But what does Colonel Miller himself say? I refer the House to his evidence; and I will now only read, to save time, from the summary of the evidence in the index:—

"Agrarian system of terror prevalent throughout all Ireland; incoming tenants generally the victims, 11. Object of agrarian outrages to regulate the letting of land; but modified by sectarian prejudices in Protestant or Roman Catholic districts; apparent from the form of threatening notices adopted by Catholic and Protestants under similar circumstances—copies of threatening notices given, 11, 12. A tenant of the name of Barry 'brutally' murdered, on the estate of the late Earl of Donoughmore, in county Tipperary, in consequence of having succeeded an ejected tenant, 11. The Shepherds murdered in the King's county for taking land from which a widow was ejected, 12. Daniel Brien, in the King's county, emboldened by the murder of the Shepherds to hold forcible possession of his farm, after being allowed his crops and 117*l.* as compensation by landlord, for surrendering peaceable possession, 11, 12. Circumstances connected with the letting of land fixed on the mind of the rural population, and their hostility to the occupying tenant revived after a lapse of years by the disturbance of a district, 12. Rent of conacre prescribed by threatening notice recently—10*l.* for old pasture land, 8*l.* for manured, and 6*l.* for rough stubble, 12. A steward threatened, and the horse on which he rode shot, in county Roscommon, to intimidate the landlord, and induce him to let potato ground; apprehensions entertained of similar offences, 13. Murders perpetrated to intimidate landlords, and to embolden refractory tenants; the assassinations of the Shepherds an instance of the system, 12. Object of agrarian outrages, in grazing districts, to break up land for conacre, 12, 13."

The noble Lord's next authority was Mr. Cahill, the Crown prosecutor, and a solicitor and land agent of Tipperary. If I were to select any witness of all who were brought before Lord Devon's Commission to prove by his evidence the very reverse of the noble Lord's proposition, I don't know that I could make a better selection than that of Mr. Cahill. I turn to his evidence, and I will only read a few passages:—

"Of what class are the offences which are more general in the county?—Heretofore riots at fairs were the most general. Those have been almost entirely got rid of; but waylaying persons and beating them has not been so completely got rid of; and at the present time they are rather more general than they have been—violent attacks upon the person from malice, arising from different causes, but generally from some dispute in reference to land.

"Have those offences generally appeared to be the act of one individual, or have there been many persons concerned in them?—There have been generally from four to six persons concerned in those waylayings; sometimes fewer and sometimes more.

"Do you mean that the waylaying offences are generally connected with the occupation of land?—Yes; the malice causing them has been connected with disputes relating to land in general.

"Do the parties who commit those outrages appear to be actuated by the desire of payment, or any other motive?—No; my impression is that those things in general are not done for payment. Money is given in some cases; but generally these outrages are committed from a kind of feeling that the parties creating annoyance upon the subject of land should be put down; and it is very easy to get loose persons to commit outrages upon parties meddling with land, in a way to affect the interests of the occupiers. Sometimes it is done by parties who expect the persons for whom they do it will do a similar act for them, in case the necessity should arise.

"Are those parties themselves landowners?—They are occupiers of small portions of land, varying from one to ten acres—generally under ten acres.

"Have you observed, when agrarian outrages are committed, that the country people about have been cognizant of them?—I am perfectly convinced that there is no agrarian outrage committed, but that the inhabitants about know all the circumstances and the parties concerned.

"Have you found much difficulty in collecting evidence?—It is almost utterly impossible to get at the evidence. I have been engaged, by direction of the Crown, to investigate the circumstances leading to three or four murders committed in Tipperary. The murder of Mr. Cooper and Mr. Wayland; the murder of Mr. James Scully; the murder of Murphy, a farmer, at Foxford, near Bansha; the murder of Mr. O'Keefe, at Thurles; and the murder of Mr. Daniel Byrne, near Templetuohy; and of course I had peculiar means in that way of seeing the difficulty of procuring any evidence. In Mr. Cooper's case the evidence was procured, and two men executed. In Murphy's case it was also ultimately procured, and one man executed; but in the case of the murder of Mr. O'Keefe, though every exertion was used, I could not have it; and in case of the murder of Byrne there was evidence, but the man was acquitted; but immense difficulty is found in endeavouring to get at evidence.

"Is it your impression in regard to those cases that there were many persons witnessed the murders, or were cognizant of the fact?—There were not many persons witnessing it in any of those cases. My belief is that Mr. O'Keefe's murder was perpetrated by a single man. There were

three persons engaged in the attack upon Byrne when he was shot. Mr. Scully's murder is completely involved in mystery: he was found murdered in a field; but my belief is, that he was murdered by two persons. Murphy's case was one of a very aggravated nature. They came to the house which his family were in, he was out of it; they left a portion of the party guarding his wife, and the rest remained outside until he came towards the house, and they then murdered him. In that there were six or eight persons engaged. With regard to Byrne's murder, I am sure several of the country people could have given us evidence which they would not give; but I am able to state generally that there is an utter indisposition to give any evidence whatever of any offence connected with the occupation of land.

"To what do you attribute that indisposition; is it to terror or any other cause?—In some degree to terror; but there is an actual indisposition on the part of the people to give evidence. They believe that their own interests are bound up in the cause of the parties committing these murders, and any party giving evidence against them is looked upon as an enemy to the general class to which he belongs.

"Do you conceive that undue protection is given to the parties engaged in these outrages?—My impression is that the occupiers of land—farmers and small tenants—will all receive a man that they know to have been guilty of a crime of that description, and that they will harbour him and protect him; and he is, in point of fact, looked upon as a better man than another, because he has put down what they call a tyrant. He is sure of being received wherever he goes, and has the character of what they call a 'good boy.'

"Is it the result of your observation that there are some properties in Tipperary remarkable for outrage?—Those two properties have been for some years back perfectly notorious for them, and several murders have been committed upon them.

"Does your knowledge also enable you to state that there properties remarkably free from them?—I am not able to say that the freedom from outrage or the increase of outrage has been upon particular properties; but in particular districts it is so.

"In the case of the two properties you have alluded to, were there resident agents?—No, not on Mr. Bowen's; and on the other there was a middleman—it belonged to a gentleman from the county of Clare. Some disputes arose, the particulars of which I am not acquainted with; but there had been a good deal of litigation and outrage upon Mr. Bowen's property. There was also a middleman; he received the rent from the occupiers up to a particular day—this I know from being present at the trial, in which it was stated Mr. Bowen was the head landlord—the middle landlord, whose name I do not recollect, received the rent up to a particular gale day; he did not pay Mr. Bowen. The lands were evicted for non-payment of rent; and Mr. Bowen, when he came in, did not wish to have so many tenants, and though they had paid the rent to the middleman they lost their interest, and were turned out by Bowen's agent. They took forcible possession; there were several prosecutions and several outrages upon it, and it has continued in a disturbed state. I have always considered that that was the origin of the disturbances in the north riding. Disturbances have taken place, bad characters are collected in the locality, and any man who has a grievance to complain of uses these men as instruments in avenging it."

I think the noble Lord was guilty of a suppression of the truth, and garbled Mr. Cahill's evidence, when he read words from his evidence to the effect that these crimes were the result of individual malice, and left out the words that follow, namely, "malice connected with disputes about land." Mr. Cahill refers these outrages almost wholly (generally, he says) to disputes about land. But the truth is, a considerable number are caused by disputes about conacre and employment, as well as the direct tenure of land. These together form the sole means of living of the Irish peasantry. The occupation of a farm, of conacre, or of a situation of labourer, are essential to existence in Ireland; and they are defended as men defend their lives, by force, by violence, by intimidation, by any means, however illegal. And so it will be, in spite of your Coercion Acts, until you afford them some security for life by peaceful and honest industry—until you guarantee by law their right and title to existence, and provide them with means of its continuance. Thus only can you disarm the assassin of his plea of extreme necessity. Thus only can you gain the respect of the peasantry to the law, and prevent their any longer countenancing and sanctioning the worst crimes. Do you deny that the peasantry of Ireland are fighting for existence in maintaining this system of outrage? Why, are there not, on the evidence of your own Commissioners' Reports, two millions of persons and upwards in a state of unrelieved destitution—that is, starving, or on the verge of starvation. It is to avoid this fate, or a worse, that the farmers and labourers commit or sanction these crimes. Your object, you say, is to protect life. Oh, we will join you heartily in this, if you set about it the right way. But remember life is destroyed in Ireland in other ways than by the bullet of the assassin. Life is taken in Ireland through the slow agonies of want, and disease engendered by want, when human beings are deprived (however legally) of their only means of living, and no resource afforded them in its place. When a landlord clears his estate, by driving from their homes hundreds of poor tenants who have no other possible resource of refuge, does he not as effectually destroy their lives (at least of many of them) as if he shot them at

once? It would be mercy to do so in comparison. Do you deny that the lives of the peasantry are unprotected by law—that they are obliged to protect themselves by these criminal outrages? I ask you, if, since these very discussions began, if we have not had proofs, multiplied proofs, of the mode in which the landlords of Ireland are decimating the people of Ireland? Ay, in the midst of fever and famine, in the month of Februrary, was not a whole village razed by Mr. Gerrard—400 souls turned out upon the highway—not allowed even to rest in the roadside ditches? Was not another village razed by the Marquess of Waterford? Another, I believe, by the relatives of Mr. Clark, of Nenagh, who was murdered — another threatened by Mr. Pierce Carrick, who was murdered for the intention? All these, and numerous other facts of the kind, are going on at this moment. Even in this morning's paper I see a fresh announcement of a clearance of 180 individuals. As leases drop in, landlords consider themselves justified in consolidating their estates, and ejecting the numerous families of tenantry who have occupied under the old leases. Now, I ask, what becomes of these ejected wretches, whose houses are pulled down, who are driven forth from the land where they were born and bred, hunted even out of the roadside ditches when they take shelter there, as was literally the case in the Gerrard clearance? Where are they to go? How are they to live? They are trespassers every where, even on the high road. No one wants them—no one employs or shelters them. If they squat on another landlord's estate, they are driven out again as nuisances—pests — as people, in one word, who have no right to exist. True, they have none in law; but I much doubt whether, in the sight of God, their right to existence, and the means of existence, be not as strong and holy as that of any peer or prince of the realm. I ask, what becomes of them? Why, we know, on the best authority, they wander to the towns and try to live by beggary; but they do not live long. Dr. Doyle, whose evidence no will dispute, tells you their fate.

"Disease," he says, "and want, soon carry off the greater number of them. They die in a little time. He knew thirty families come into the town in which he lived from some such ejectment; in one twelvemonth twenty out of the thirty families, *i. e.* two-thirds of them, had died."

Is not an ejectment, then, of this kind, tantamount to a sentence of death on a small farmer or cottier, whose only chance of living and maintaining his family is the occupation of a bit of land? And can you wonder at his retaliating on him whom he feels to be his oppressor? Or can you wonder that the thousands who know themselves to be exposed to this fate every day, combine to save themselves from it by a system of intimidation and outrage? I do not wish, however, to cast blame on the landlords. They think they have a right to act as the law permits them—to do as they will with their own. Many of them, even of those who clear their estates and pull down whole villages (like the Marquess of Waterford), are said to be men of humane feelings, but acting under a mistaken view of what is right, or in ignorance of the consequence of their acts. I do not wish to blame them. I blame the law which gives them the power of life and death over the peasantry of Ireland. In England we do not carry the rights of property so far. Here a landlord cannot clear his estate without being responsible, he and his neighbours likewise, for their fate. Some maintenance, some residence, must by law be provided for them if evicted; and therefore it is we never hear of agrarian crimes in England. But is it for the interests of the landlords themselves that they should possess and exercise this terrific power unchecked? Are they really benefited by it? Why, in the first place, they have brought Ireland to such a state that their own lives are in danger. But even as respects the value of their property, I maintain that it seriously suffers from the present state of things. They use this power to their own injury, as well as that of the peasantry, and to the destruction of the peace of the country. Let me, in proof of this point, beg the attention of the House to the statement of facts respecting two estates in Ireland, in which, under similar circumstances, two different lines of conduct were pursued by their proprietors. The one is an estate in the county of Kildare, the other in Galway. Both when they came into the hands of their proprietors, about ten years since, were considered to be in a ruinous condition, overpeopled with a pauper tenantry, unable to pay rent at all. The owner of the Kildare estate, being a man of humanity and good sense, said to himself, "If I drive off all these people (as the law permits me to do), I shall cause their destruction. It would be a sentence of death on them, and, perhaps, to avoid or to avenge it, they

may kill me, or kill one another, or the two or three tenants I may leave here. Let me see if I cannot so arrange the estate that it shall support the people on it, and pay me a better rent, instead of starving them as it does now, while they pay me no rent." He set about this judiciously; much in the manner of Lord George Hill at Gweedore. He put an end to the rundale and joint tenancies—he consolidated several small holdings into larger farms—and he located the dispossessed tenants upon bog and mountain patches, of which he gave them long leases at a nominal rent, to encourage them to reclaim and improve. What was the result? Why, that in the first place, he greatly improved his estate and increased its value; secondly, he improved the condition of all his tenantry. Without exception the larger farmers are now flourishing, the smaller cottiers are comfortable, peaceable, and happy, earning their bread by their own industry. Now for the other estate in Galway. That was treated by its owner in the opposite fashion. He had recently purchased it. He might suppose, perhaps, that this circumstance destroyed the force of the claim to forbearance and mercy which his tenants might have upon one who had inherited the estate on which they and their forefathers had lived. Be this as it may be, he set to work to improve his estate in the Gerrard fashion—a very usual one—namely, by clearing it of its supposed excess of population. He employed that power with which the law arms every Irish landlord unconditionally, and which has been so facilitated by recent legislation. He ejected some 200 tenants, evicted a population of about 1,000 souls. He divided his estate into a few large farms, keeping one for himself, as a sort of amateur farmer. By acting in this manner he caused a large amount of misery and suffering. What became of that thousand souls, turned adrift in Galway, the most miserable perhaps of all the counties of Ireland, it is difficult to say. Few of them probably survive to this time. They met the usual fate of ejected tenants. At all events, my informant assures me, the horrible distress and misery that was caused by these evictions is indescribable. Some outrages followed of course. But the law had had its course. The landlord had cleared his land. Now, let the House listen to this. That same estate possessed upwards of 30,000 acres of waste land, and among it many thousands of bog, far superior to Chat Moss, some very much better than the waste of the other estate on which hundreds of tenants are now supporting themselves in comfort, and paying rent into the bargain. Had the owner of the Galway estate chosen to act—had he possessed the humanity and wisdom to act as Dr. Grattan did, he might have located all the tenantry he ejected on these wastes in comfort and ease—ay, and ten times their number—and they might now be living in happiness and plenty, instead of dying by inches, as they no doubt did. But at least it will be said, he improved his estate by the mode of treatment he adopted. Quite the contrary. His speculation turned out a bad one after all. His pet farm was a losing concern. The estate altogether is not at all improved, but has rather lessened in value. Had the course taken by Dr. Grattan been pursued in that instance, its value might have been doubled easily by this time. Now here are two facts, and two hundred similar ones might be produced. What is the conclusion to be drawn from them? Is it that lame and impotent lesson which the right hon. Baronet drew from the consideration of Lord George Hill's successful improvement of a similar estate—that landlords should be advised to act as Dr. Grattan and Lord George Hill have acted, instead of acting as the owner of the Galway estate did. No. The inference I draw, and I hope the House will draw it too, is, that landlords must be prohibited from acting in the latter way, and compelled to make that use of their property which is best for themselves, best for the peace and safety of the country. In one word, that landlords should not be permitted to clear their estates, but be required by law to provide the people who live upon them with the means of existence in some other way if they remove them. Only by compulsory means can you secure that to be done, which is best for all parties, and is, indeed, alone just, right, and wise. The voluntary system—the leaving absolute power in the landlords—produces the result I have shown you on an estate in Galway, and which you have seen in the Gerrard case, the Waterford case, the Nenagh clearance, and so many others. Landlords must be coerced to do justice to the people of Ireland, by affording them the means of living upon the soil of Ireland by industry. For this there is such ample room and scope, that the best authorities, Dr. Kane, Mr. Blacker, and others equally well informed, say

that Ireland might, if her resources of land and labour were judiciously brought together, support five times her present population—forty millions instead of eight—and that in comfort instead of misery; in contentment instead of despair; in peace and happiness in place of disturbance and suffering. If you do this, you will want no Coercion Bill for the peasantry. This is the scheme for protecting life and preventing assassination that I propose to you—a far more effective Protection of Life Bill than yours would be in law to this effect. And it is because I see no certainty of your intending to introduce any such efficient measure, that I refuse my assent to your coercion scheme.

VISCOUNT BERNARD complained of the assertions which had been made in the course of the present and preceding debates against the landlords of Ireland—assertions which he was prepared to contend and prove were wholly at variance with, and made in ignorance of, the facts. It had been the great misfortune of Ireland, that in former days and under circumstances over which the present possessors of property in that country had no control, the lands had been greatly subdivided; but he believed that, taking the landlords of Ireland as a body, they had the same kindly feelings—the same anxious desire to benefit those whom Providence had committed to their care—to alleviate their necessities, and to minister to their wants, as those of any other part of the realm. In justice to the landlords of the county in which he resided—a county which comprised one-twelfth of the whole population of Ireland, he must be permitted to call attention to the words addressed to himself and the other grand jurors of that county by an authority which could not be questioned. Mr. Justice Burton, after congratulating them upon the peaceable state of their county, said—

"He could not conceive how it could be in that condition, except from the knowledge that it was inhabited by gentlemen of rank and distinction, who knew how to do their duty, and were able as they were willing to keep their districts as they ought to be."

He believed that the same thing might be said of the gentry of other parts of Ireland. The hon. Member for Stroud (Mr. P. Scrope) seemed to forget that even if all his arguments were well-founded, they were not arguments against this Bill. The remedy he suggested was a general one against a system; whereas this Bill was intended as a remedy for a state of things which existed in certain localities only. He supported this Bill, because he believed, in his conscience, that it was necessary for Ireland. On this point he might be content to rest the case on the statement of the Earl of St. Germans in moving the Bill in the other House, supported as that statement had been by the Marquess of Lansdowne and other noble Lords, who acquiesced generally in opinion with hon. Members who occupied the side of the House upon which the hon. Member for Stroud sat. He put it calmly to the noble Lord the Member for Lynn (Lord G. Bentinck), and to those who thought with him, to consider what possible connection there could be between the Corn Bill and the measure now under consideration. Under what circumstances had the late Government been broken up? The immediate cause of their downfal was not the Corn Bill of the noble Lord opposite, but their truckling policy with regard to Ireland; they fell because they truckled to the hon. and learned Member for Cork, and abandoned Protestant principles. What, then, could justify the Protectionist Members in taking a step, merely as a political move, which must have the effect of transferring the Government to the avowed enemies of the Protestant Church? That was, however, the policy of the noble Lord the Member for Lynn. Before leaving this subject, he would refer to a memorial presented by the magistrates of the West Riding of the county of Cork to the Earl De Grey, praying for protection, and declaring that the feature which distinguished the Irish atrocities from the English was the mystery with which they were always enveloped, and that they were the result of an organized system of Ribbonism. The noble Lord read an extract from the Memorial as follows:—

"We feel ourselves warranted in representing to your Excellency that during the summer and autumn, the number who joined the standard of the Repeal Association was very great, and that from time to time since the most alarming demonstrations have been made, and the terror of the loyal and peaceable inhabitants has been so great, that on the occasion of these signal fires, which lately blazed on every hill, they fled from their houses, and remained in the fields with their families during the whole night. If protection be not afforded, those who have the means of leaving the country must and will seek protection elsewhere. We shall rely on your prompt attention to this representation, which nothing but a paramount sense of our responsibility as magistrates, a strong feeling of the imminent danger to which the lives and properties of the loyal and peaceable

inhabitants are exposed, and the firm conviction of a deep-laid and organized conspiracy in the country, would have induced us to make."

In a second application the same magistrates said—

"We feel convinced that unless such a regular force be supplied, the loyal will not, and can hardly be expected to remain unarmed in the midst of dangers to themselves and families."

The hon. Member for Belfast (Mr. Ross) alluded to the Norman Barons having prevented in Edward the Third's time the Irish people having equal laws. What was the real state of the case? It was the Roman Catholic priesthood who were to blame. In A.D. 1280, it was said—

"Ireland was therefore left once more at the mercy of its prelates: they might now by a vote have almost atoned for the original baseness of their predecessors, and arrested the bloody progress of centuries of desolation. But the canon law was the only code which they desired to establish generally; and the law of England was even then too favourable to liberty, not to be viewed with alarm by men who aimed at despotic power. On the one hand, they wished for a continuance of the inequality between the races, because, in fact, it was only the gradations of servitude, and kept the ascendancy of the Church upon a higher pedestal. On the other hand, they could not tolerate a measure which, by diffusing through all classes a spirit of spontaneous attachment to the State, might diminish their own political importance. There was to be no loyalty of which they were not the mediators; and while overt acts of rebellion were occasionally restrained, a spirit was kept alive which would render their constant interference indispensable. It cannot be ascertained from any authentic record whether the counsel were met; one thing only is certain, that the bishops defeated the good intentions of the King."

It had been said that similar outrages to those of Ireland were committed in England; but there was this important difference, that in England they were isolated cases, and not the result of an organized, deep-laid, and extensive conspiracy; for he was convinced that Ribbonism was at the bottom of the outrages in Ireland. He would first vindicate the law, and then he trusted that remedial measures would be brought forward for Ireland—though he would not advocate political concessions, which were always followed by fresh demands, and for which, as was the grant to Maynooth, hon. Gentlemen would opposite would not thank the Government. Political measures must ever be fruitless, unless accompanied by some well-digested means for giving employment to the labouring classes. He admitted that the Government had done much towards this good object in the present Session; but still more remained to be done before the desired end could be attained. Were it proved to the House that such outrages as were perpetrated in Ireland prevailed in Yorkshire, it would not be possible for the House to refuse at once to suspend the ordinary law, and make a special enactment to meet the emergency. In such a case, was it conceivable that any party intrigues would be practised, for the purpose of upsetting the Ministry? He doubted not that the Members of the Repeal Association were actuated by the same devoted loyalty as himself; but, supposing two co-equal and independent Legislatures existing, one in England, the other in Ireland, held together only by the single link of the Crown, it was not difficult to foresee that, ere long, that connection would be severed. Could two equal Legislatures exist? How long would it be before the House of Lords would be done away with, and the single House triumph over the Crown? How could they secure in an independent Parliament the succession of the Crown? It was true that there might be the most devoted loyalty to the Sovereign now on the throne; but how could they avoid the recurrence of such a question as the regency, and how could they say that an Irish Parliament might not impose the same condition as to a Catholic succession, as was now imposed with respect to a Protestant? How could they secure the country against the inroads of a foreign enemy with the ulterior view of subjugating England? It was alleged on the opposite side, however, that this measure ought not to be passed, because political privileges were withheld from Ireland; and hon. Members who said this talked as if they alone spoke the sentiments of the people of Ireland; but they were not the sentiments of the wealth, the property, and the intelligence of Ireland. [Mr. O'Connell: Who does then?] The corrupt state of the representation prevented the property of Ireland from being represented in that House. Did the hon. Member for Cork recollect the evidence given as to the state of intimidation which prevented the electors from recording their votes in that county? Then it was complained that there was not an equal municipal franchise; yet it must be recollected that the Roman Catholics had corporate power; and how had they used it? He would ask only whether it was used properly when the corporate magistrates went in their robes to visit a person imprisoned for a political offence? Attacks had also been made on the ap-

pointments made by the present Government, particularly on those of the Judges. In reply to these attacks, he (Lord Bernard) would read a passage from the speech of the Mayor of Cork, on opening the Imperial Hotel in that city :—

"Their chairman, in speaking of the Judges of assize (Baron Lefroy and Judge Jackson), alluded to them in most complimentary terms ; but they were only deserved, for since their arrival in the city they had dispensed justice as judges should do. One of the gentlemen was a stranger, the other Mr. Justice Jackson, was their fellow-citizen, and in his capacity of judge, or his station as a gentleman, was an honour to the city which could claim him as her own. He (the mayor) had the honour of knowing him for the first time in the position he then occupied, and from that position he had the means of observing and witnessing that gentleman's care and attention, his industry in noting down apparently the most unimportant facts, his ability and discrimination in detecting what many would not perceive."

In contrasting the conduct of the present Government with that of the Whigs, he would not detain the House long ; but it could not be forgotten, that just as the Whigs were about to quit office, an amiable Judge (Lord Plunkett) was removed, that Lord Campbell might enjoy a few days' office in that country. On the subject of the Church in Ireland, so often attacked in that House, the hon. and learned Member for Cork had stated in evidence before the House of Lords in 1829, that if the Roman Catholic claims were granted, no further attack would be made on the Protestant Church in Ireland. That evidence, it had been said at the time by Mr. Spring Rice (now Lord Monteagle), had contributed more than anything else to remove the objections in the public mind to the passing of the Roman Catholic Relief Bill. Notwithstanding this, the Church of Ireland was nightly attacked, and loaded with abuse, though its clergy were the most devoted in the world ; not, like those of another church, meddling in politics and agitation, but employing themselves constantly in visiting the sick and needy, both Protestant and Catholic, and relieving their temporal wants. While admitting that poverty prevailed very extensively throughout Ireland, he must contend that it was not by any means the main source of her evils. The remedy for those evils was to be largely found in developing the resources of the country. In the course of the present debate, a great deal had been said, and justly said, on the evil arising from so many absentees from Ireland. This was an evil which, as he had before shown in that House, might be traced through the history of Ireland for the last 600 years ; and though attempts had been made to meet it by taxation and by confiscation of property, they had all failed of the desired object. It had been said that where property was well managed in the absence of the proprietors, there was no great harm in absenteeism. This was a serious mistake. The evil of absenteeism lay in the loss of the moral effect of a resident proprietary. And he trusted that proprietors would think of this, and be induced to return and perform the duty which their country required of them. In conclusion, he urged upon the Government, as they valued the peace of Ireland, and as they valued the affections of the people, to adopt some means to develop the unexplored resources of that country.

"Quo res cunque cadent, unum et commune periclum
Una salus ambobus erit."

MR. REDINGTON remarked that there was nothing which the noble Lord who had just sat down had not alluded to in the course of his speech ; but he should not be tempted to follow him through the various topics he had introduced. He should merely notice the minor portion of the noble Lord's speech which referred to the question before the House. The noble Lord had told the House of the danger and alarm which prevailed in Ireland, and had said that a great riband conspiracy—a sworn conspiracy he (Mr. Redington) believed that the noble Lord called it—was at the bottom of that danger and alarm. But was this a Bill calculated to meet any danger of that kind ? He (Mr. Redington) believed that it was not. The noble Lord had attacked those formerly connected with the Irish Government for party predilections ; but had not Lord Roden brought forward a party Motion for the purpose of fixing a stigma on the then Government. It was the great misfortune of Ireland that every measure connected with it was discussed in a party spirit. How had it been, for instance, with respect to Irish crime ? Had it not been brought forward, in general, less with a view of eradicating it, than of casting a stigma on the party who happened to rule the destinies of Ireland ? He wondered that Members connected with England and Scotland, who had long held seats in that House, did not say to themselves—Why is something not done to inquire into the source of this evil ? He was sure that they

would look in vain to find in the speeches of the right hon. Baronet the Secretary of State for the Home Department, or the noble Lord the Secretary for Ireland, for the source of the evil—for the cause of crime in Ireland. They were not even consistent with themselves as to the grounds upon which the present measure was brought forward. In the opening speech of the right hon. Baronet, agrarian outrages were stated as the cause of the measure being brought forward. After the lapse of some time, however, and a new Irish official having appeared in the House, a new idea was imparted, and it was found that it was not agrarian crime, but that there was a social disease in Ireland, which required a remedy; and a long list of offences was brought forward to justify this view of the case. The noble Lord, however, had failed to show that those offences were of such a kind as to require this extraordinary Bill. In the present state of Ireland he called on the House to beware how they passed this Bill. He understood the noble Lord (Lord Lincoln) had said that the Landlord and Tenant Commission had obtained certain returns with a certain view. Now, whatever the views of the individual Members of that Commission, there could not be a more unjust imputation than to say that they were biassed in any way, and did not make their report from the evidence fairly brought before them. He had not time to examine accurately the returns furnished only when this Bill was to be read a second time; but he warned the Government how they passed a measure of this kind on pretexts of crime so flimsy as were in many cases set forth in those returns. In the first place, he observed that if a number of persons were engaged in perpetrating any offence, each was given as a separate outrage. In a place called Kilincurry, the returns proved that one offence was so subdivided. When the representatives of Ireland had to defend their country from the charge of an enormous amount of crime, they were at least entitled to ask for fair and accurate returns of those crimes. Now, what were those crimes? Two thousand were said to be committed in five months. Of these 810 were threatening notices. Now, everybody acquainted with Ireland must be aware on what grounds charges of sending threatening notices were often got up. He remembered one which he had himself received. He got a letter from a man, who said that he was appointed to shoot him (Mr. Redington), but that he did not wish to do it, and he would not if he received 30*s*. Of course he took no notice of the letter; but some time after he happened to see Colonel M'Gregor, and showed it to him. He was at once told to take no notice, as they knew the handwriting well, and the man was in the habit of writing such letters. He went to the house it was dated from, and found it was an empty house. Again, many of the offences were described as "quarrelling at a hurling match"—a very common case in Ireland. In another case the assault was committed "because the parties were of the same occupation" (that of feather monger); in others, they arose from "jealousy;" sometimes because gentlemen would not marry ladies, and sometimes because ladies would not marry gentlemen. One case of assault was because a widow of four husbands would not marry a fifth. In another case, an offence was described in the return as "an injury to property." On inquiry, this turned out to be an attack on a house of ill-fame, to the establishment of which, or the harbouring of persons of bad character, a great objection was felt by the population in provincial towns in Ireland. Another offence was described as committed under "momentary excitement." And one case of "injury to property," given in these returns arose out of a refusal of a man in Galway to illuminate his House on account of the liberation of Mr. S. O'Brien. He now came to the point—what was the real state of crime in Ireland? With all deference to the noble Lord (Lord Lincoln), he must give it as his opinion that the far greater number of attacks were connected with the possession of land, and with the removal from it. He had been often asked, "How came it that landlords and tenants in Ireland did not go on with the same good will towards others which they almost invariably exhibited in England?" The whole tenure of landed property in Ireland rested on a different basis from that on which it was held in England; and it was difficult for an Englishman to account for the existence of feelings having their origin in the occurrences of a former period. Yet those considerations did undoubtedly help to produce the present state of things. He thought that the whole tendency of English legislation towards Ireland for centuries, and up to a very late period, should be borne in mind

before they were asked to pass such a measure as this. The case of Ireland rather called for measures such as those which had been introduced on the previous evening by the noble Earl opposite. He was clearly of opinion, too, that a strenuous administration of the existing law would have not only prevented the necessity of such a Bill as this, but also have prevented the idea of its necessity from arising in the minds of Ministers. He (Mr. Redington) did not wish to rouse angry recollections; but the fact could not be effaced from the minds of the people, that in many parts of Ireland, such as Ulster and Cavan, the original proprietors of the land were all despoiled of it, and it was handed over to strangers under Plantation Acts. A manager of an estate in the north stated before the Commissioners that they never would be able to do anything in Ulster if they did not regard the tenant right. It must there be acted upon; and why was there not a similar state of things in other parts of Ireland, which would be attended with the same results? Why had not such been the case in the colonies planted on the forfeited Desmond property in the south in the time of Elizabeth? It was stated by an old author who wrote in the time of James I., that those to whom the land was granted were for the most part poor and improvident people, who, to get an extreme rent, sub-let and divided their land into small portions. Some curious evidence might be found on this point in the appendices to the report of the Commissioners, to which he would direct the attention of hon. Gentlemen. The laws which had been directed to the subject of tenure of land both by the Irish and English Parliaments, had been productive of much mischief. Parliament then owed something to Ireland; but he did not mean to say that anything could be done with regard to a state of things which had grown out of circumstances existing in a period long anterior to the present. They should do so by giving inducement to the tenants to improve their land; and he was aware that if the Legislature took some step in that direction, much might be expected from the landlords at home. He knew that it was unpopular to say that much could not be done by legislation; but he did not think that much influence could be exerted by the legislation of that House on causes existing for so long a period. It would not do now to turn round and say that you would make leases compulsory; but much might be done by preventing these extreme expulsions. With regard to the present measure, he thought a strong administration of the present law would have much better deserved the attention of Her Majesty's Ministers, than bringing in this Bill. One of the chief class of disturbances in Roscommon within the last two years was that bodies of 300 or 400 persons turned out, not by night, but by open day, to turn up the land in pasture or meadow. Now if there had been a proper number of military in the district, this would not have occurred. As for firing at persons, this generally arose in consequence of ejectments from land, which excited a strong feeling of sympathy, and which often led to this offence. He did not think, however, that this was a cause for a Coercion Bill, or that that would put down such a description of crime, for it had never done so hitherto. The views he had expressed as to the possibility of maintaining peace and good order in Ireland by a prompt and vigorous administration of the law, were confirmed by evidence given a number of years ago by Mr. Barrington, the Crown Solicitor for Munster, a most competent witness, who also spoke in pointed terms of the rancour that remained after a measure of coercion. It was indeed a question whether such a measure did not still further weaken the confidence of the Irish peasant in the law. Ministers could not expect that this Coercion Bill would do more than others had done. Why, then, was it pressed? Had the Government reason to complain in reference to convictions? Had they to complain of indisposition on the part of juries to do their duty? On none of these grounds was the Bill justified. He trusted the right hon. Gentleman would adopt a different course, and, without reference to one political party or another, would keep Ireland solely in view when he proposed to make that country the subject of legislation.

The EARL of LINCOLN regretted to find that some misapprehension existed as to what he had said of a return laid before the Commission of which the hon. Gentleman who had just addressed the House was a Member. One of the last things he should have contemplated was to use expressions in that House which he thought likely to imply that any feeling of partiality existed either on the part of the hon. Gentleman himself or of his Colleagues, who

had bestowed so much time and labour on the faithful discharge of their duties. What he (the Earl of Lincoln) stated, was, that knowing how often, in particular circumstances, returns made to that House were looked at with distrust, it being supposed that they were procured to serve some purpose, he was glad to have an opportunity of quoting a return made eighteen months ago to the Commission of which the hon. Gentleman was a Member. He thought it might be looked upon as an impartial document; but he begged to repeat that he imputed no partiality to the hon. Gentleman or his Colleagues; neither did he allege that they had any preconceived opinion on the subject.

Mr. SHAW wished shortly to state the reason for the vote which he intended to give, the more so as if the House did not divide that night, it would be out of his power to be there during the ensuing week. Under all the circumstances, he felt constrained to vote for the second reading of the Bill. Seeing the disorganized social condition of some parts of Ireland, he was unwilling to incur the responsibility of refusing to an existing Executive Government the trial of a measure which, upon their responsibility, they asked for, as necessary for the preservation of the public peace, and to afford protection to life and property in those districts of Ireland where they were notoriously insecure. Were the noble Lord opposite (Lord John Russell) in Government—and he (Mr. Shaw) presumed the noble Lord very soon would be—then he would meet in the same spirit a similar demand, if preferred by the noble Lord. Indeed, if rumour had not much misrepresented the intentions of the noble Lord, and the party with which he acted, when they attempted to form a Government in December last, they would have been prepared to propose a Bill more stringent than the present. There was an interest, moreover, independently of particular Governments or parties, with which he deeply sympathized, he meant the peaceable subjects of Her Majesty residing in the disturbed districts in Ireland. He and his Irish Friends in that House had amongst their constituents friends and acquaintances who must care comparatively little for their political differences, and astounded as they might be, in common with the rest of the community, at the recent conduct of Her Majesty's Ministers, yet those persons must practically feel, that from day to day, and hour to hour, their lives, their families, and their properties, were exposed to imminent danger. They might be naturally discouraged and disheartened if they found that their representatives would not allow even the second reading of the only measure in fact proposed for their relief—the only semblance of protection beyond the existing law that was offered them. For these reasons he (Mr. Shaw) must give his vote in favour of the second reading of the Bill. He was free, however, to state his opinion as well with reference to the Bill itself, as to the conduct of the Government respecting it. First, then, he did not feel satisfied in his own mind that the Bill would be really efficacious—nothing but a strong necessity could justify an excess of constitutional power; and if upon a case of necessity the Legislature did confer such power, then the extra-constitutional law should be, at all events, effectual for its purpose. Without entering into details, he considered that the present Bill was wanting in one very essential requisite, and one which he believed had been provided in all the former so-called Coercion Bills, namely, a tribunal for the trial of offences in the proclaimed districts, exempt from the intimidation to which the ordinary juries were subject in these parts of the country. Still the Bill was better than nothing; next, as regarded the manner in which the Bill had been conducted by the Government, upon that point he must say, that if the Bill should be lost, the Government might in a great degree attribute it to their own remissness. It was on the 22nd January they had announced in the Speech from the Throne, that such a measure was necessary for the protection of life in Ireland; and it was then the 12th of June, when they were discussing the second reading. Part of the delay might have been out of the control of the Government; but he was persuaded that it had been encouraged by the hesitating and unfirm manner with which the Bill had been dealt with by the Government, even in the House of Lords, where it was virtually unopposed. It was a totally different Bill from what it was when first introduced there. It had been changed and diluted, and another Bill actually substituted for the first. The Government should have known their own mind, and either should not, in the first instance, have sought for larger powers than they thought necessary, or, in the end, not to have taken less than they thought necessary for the protection of life in Ireland. The Government had rendered

themselves justly obnoxious to the taunts of his noble Friend (Lord G. Bentinck), that for the Corn Bill, they had long sittings and short holidays, while for that Bill, the sittings were short and the holidays long. In fine, the House and the country must have seen that the Government evinced a very different spirit in the two cases—much less of earnestness, determination, and despatch in providing protection for life and property in Ireland, than they did in removing protection from native industry in every portion of the United Kingdom. He was convinced of this, that if the Government had been in real earnest about that measure, and introduced it into that House the day after they proclaimed its necessity in the Queen's Speech, that it would, months ago, have been the law of the land. In answer to the appeal made to him and his Irish Friends by his noble Friend the Member for Lynn (Lord George Bentinck)—whether they believed the Government was sincere in its intention to carry, or expected to carry, the present Bill?—he must take this distinction—that while he would not impute to the Government any intention positively fixed in their own minds not to carry the measure, yet he was convinced that neither they, nor any reasonable person, could then expect that the measure, let what would be the fate of the second reading, was likely to pass into a law during the present Session of Parliament. He was anxious that the vote he intended to give should not be misinterpreted. It would be wholly independent of party considerations. It was impossible that he could support the Bill from any confidence in the Government who promoted it. He was not influenced by an apprehension which he understood swayed some persons on that side of the House, lest if the Government were defeated, the noble Lord (Lord John Russell) and his party should come into office. He confessed that on that score he had no apprehensions. He need scarcely say, that after sixteen years of public life in active opposition to Whig politics, he could have no predilections for, or attachments to them; but, nevertheless, he was of opinion that if Whig measures were to be carried, and Whig principles acted upon, then it was better, more just, more honest, more constitutional, and safer for all interests concerned, that they should be carried by Whig men. The present Government were powerless to carry any measure that could properly be called their own—supported by those who had been their party, or based upon the principles which they themselves had formerly professed; but let them only propose a measure of an opposite tendency, and they were at once borne forward by a torrent of support from their natural opponents—and with an impetuosity that the Government could neither restrain nor regulate. He was persuaded, too, that if ever the scattered elements of that once great party that sat on his side of the House were again to be collected and made available for any useful party purpose, it must be in opposition. That alone, likewise, could put an end to the reproaches, the heartburnings, the ill-will that night after night were exhibited amongst themselves, and which, however natural and to be expected under present circumstances, still must be painful and distressing to them all. He (Mr. Shaw) therefore, would hail with satisfaction, upon every public and party ground, the advent of the noble Lord (Lord John Russell) and the Whigs to office. He (Mr. Shaw) was sorry that Ireland was to be again made the battle-field of their party conflicts. But, if it must be so, it was well that the fate of the present measure did not depend, as he had already stated that he believed it did not, upon the result of that division. Again, it was, perhaps, but retributive justice; as, probably, the greatest failure of the Government had been in their Irish policy. They predicted it would be their difficulty, and they took care to make it so. He excluded from that censure the noble Lord (Lord Lincoln) who had recently been appointed Chief Secretary, for he had had no fair trial, and commenced his career there under every disadvantage. He (Mr. Shaw) had been glad that the concession of appointing a Cabinet Minister to that office had at length been made. He believed the noble Lord would have been well disposed to take a high and independent line in conducting the affairs of that country. He would except, also, the grants of public money, and other means taken during that Session for the employment of the labouring poor and the alleviation of distress, while he must ever think that boon had been greatly marred by the exaggerated statements that had been put forth of famine and sickness. Not then to revert to the former, he might, in passing, say, that as to the latter, the anticipated sickness and fever, he believed that no living man could recollect a more generally healthy season in Ireland; and he must again deprecate the unfair use that had been made

of these exaggerated statements. The noble Lord (Lord J. Russell) would come in, as regarded Ireland, with great advantage at that time; for undoubtedly the most unpopular Government with all parties in Ireland that he recollected, or had heard of, was at present. Let the noble Lord (Lord John Russell) take warning by them, if he would accept a hint from a political opponent. The Irish people of every class liked to be treated with heart, and feeling, and confidence. He did not doubt but that the present Government might have desired, in the abstract, to be just; but they had reversed the sound maxim, "to be just and fear not;" for from first to last, they had shown themselves afraid to be just. He believed their object had been to please and conciliate their political opponents; but whether from want of experience, or of local knowledge, or from what other cause he knew not, they were unable to achieve that by any substantive acts of a conciliatory kind; and the Government seemed to think, that according to the old Anglo-Irish policy of *divide et impera*—"set party against party"—they might take a short way of pleasing their opponents, by vexing their friends. They succeeded, however, in the one without accomplishing the other. Their reasoning appeared somewhat like that of a servant, a friend of his was hiring, and he asked the man if he was a Protestant?—"No, Sir, I can't say that. I am not a Protestant, but I am a very bad Roman Catholic." He thought that the next best thing. And so the right hon. Baronet the Secretary of State for the Home Department, who had for the last five years been the sole and arbitrary governor of Ireland, appeared to reason, that if he could not succeed in satisfying his opponents, the next best thing would be to dissatisfy his supporters. The fact was, from the highest to the lowest it was the same—the English people knew less of Ireland, of her wants, her feelings, and the character of her people, than they did of the most distant countries and their inhabitants on the face of the earth. If the House would pardon him, he would mention an anecdote that occurred recently in his own family; and he would only do so, because it so fully illustrated what he meant. When his family were returning to Ireland after the close of last Session—a housemaid had lived with them in London, who had arranged to go with them to Ireland; but she came one morning, and said she could not go—that she must leave them; she was asked why? She said her mother would not hear of it: she was sorry to go against her daughter's wishes; liked the family she was with, and would gladly let her go with them to any other part of the world; but that if she went to Ireland, it would be as much as her (the mother's) life was worth; so the woman, to save her mother's life, as she thought, had to give up her place, and stay in England. Now, with every possible deference to, or at least being ready to admit, the general intelligence and sagacity of the right hon. Baronet the Secretary of State for the Home Department, he did verily believe that, as regarded the peculiar character of the Irish people—their local exigencies—and still more, the feelings and relations of the political parties in that country to each other, the right hon. Baronet (Sir J. Graham) was as ignorant of, and had his mind as full of, his imagination as much haunted with, Irish ogres and hobgoblins, as the old woman to whom he alluded; and yet the right hon. Baronet had been the despotic manager of the Irish Government since 1841. He hoped the noble Lord (Lord J. Russell) would be wiser and better informed in that respect. Let him not suppose that the old vulgar prejudice remained, that men differing in politics, or their religious persuasions, would prefer to see strangers in the offices of the Government, rather than their own countrymen, because their political party or their religious belief were not the same as theirs. He sincerely trusted the noble Lord would fall into no such error, but that he would place Irishmen of competency and high character, who knew Ireland, in the highest departments of the Irish Government; and he (Mr. Shaw), as a political opponent, would tell the noble Lord that he could find men amongst his own supporters in Ireland fully qualified for the purpose. He (Mr. Shaw) did not ask or expect the noble Lord to select men from amongst his (Mr. Shaw's) political friends. He did, however, trust that the noble Lord would do them the justice to believe that they were more reasonable, temperate, and just, and desired to cultivate kindlier sentiments towards their countrymen of all persuasions, than English prejudices were generally willing to allow. English Members on both sides of the House would pardon him for accusing them of all, more or less, having strongly-rooted and injurious prejudices to overcome on that subject; and perhaps considering the peculiar and anomalous

circumstances of Ireland, Irishmen should not be surprised or offended at it. Still he should regard it as a happy omen for Ireland to see those prejudices removed. The noble Lord the Member for the West Riding of Yorkshire (Lord Morpeth), whose personal courtesy and kindness, and whose zeal (exercised, of course, in accordance with his own political views), but still whose sincere zeal for the cause of Ireland recommended him to the good will of all parties in that country, would probably tell the noble Lord (Lord J. Russell) that he (Lord Morpeth) had not found the party who were politically opposed to him in Ireland, quite as black as he had previously seen them painted; and perhaps that party had gained experience, and learned a lesson since, which had made them even wiser than they were. At all events, he (Mr. Shaw) did not hesitate to undertake for himself, and those friends with whom it was his pleasure to act, in connection with Ireland, that the noble Lord (Lord J. Russell) should find them fair, candid, and generous opponents. He (Mr. Shaw) had to apologize to the House for having digressed at greater length than he had intended, into the general question of Irish policy. He would not detain them longer. His vote, for the reasons he had stated, would be for the second reading of the Bill, at the same time that he considered the Bill had great defects. He condemned the conduct the Government had pursued in respect of it; and let what would be the result of the ensuing division, he could not expect that the Bill would pass. Above all, he was solicitous that his vote should not be taken as a vote of confidence in the Government. On the contrary, if they were defeated—as he believed they would be—and that they left office in consequence, while he should be sorry that a measure for the protection of life and property in Ireland was the occasion, still he should feel that it was a merited retribution for grievous and unprecedented political and party misconduct—that the Ministry, fall when they might, would fall unregretted, unpitied, unhonoured—politically he meant—for his greatest grief was, that personally he had for many of the individuals composing it, the utmost esteem and respect; but speaking politically, and wholly irrespective of the particular merits of the Corn Law question—he was bold to affirm, that if the present Administration was then overthrown by the voices of the representatives of the people, not only the United Kingdom, but the whole world, would regard it as a righteous verdict—a just national judgment against public men for a great public delinquency.

MR. DILLON BROWNE thought the right hon. Gentleman's premises did not justify his conclusion; he had not offered a single argument in favour of the Coercion Bill, and yet he voted for it. He (Mr. D. Browne) was glad he did not succeed in getting rid of this measure by counting out the House in a former part of the debate: it had now taken a turn likely to be more satisfactory to the people of Ireland. The protectionist party had given an assurance that they would not support a coercive policy towards Ireland, unless a stronger case was established than that made out by the right hon. Baronet. That case had been much weakened by the late speech of the noble Secretary for Ireland. The Government had shifted its ground; if the particular grounds no longer existed, the Bill could not be the particular remedy; why was there not a new measure? In the statement of the noble Lord (the Secretary for Ireland) there could be found nothing whatever which would justify the House in passing a measure of so unconstitutional a character. The cases of outrage which were mentioned were those of the very commonest occurrence in Ireland, such for instance as abductions and forced marriages. Why, a much stronger case could be made out for a Coercion Bill for England; in his opinion, this measure had been forced upon the Government; it had not the real approbation of any Member of the Government. The present Administration had already done much, and had promised still more for Ireland; and it would be the height of folly to persevere in such a course as that which they had now, and he believed not from conviction, adopted. If the noble Lord the Member for the city of London came into office, he might rest assured that his party would never gain the confidence of the Irish people if they did not do away with the system of tithes; the people would never consent willingly to pay for the support of a Church which returned them no spiritual aid; and if a proposition to abolish that system were brought forward, there would be sixty hon. Members as ready to second the noble Lord then, as they now joined with him to drive the present Government from office for the purpose of averting the calamity of a Coercion Bill.

SIR R. PEEL said: Sir, the question which we shall have to decide, when a vote

is come to upon this occasion, is, not whether we shall go into Committee upon the Bill which Her Majesty's Government have felt it their duty to propose for the suppression of outrage and the protection of life in Ireland; the question will not be, whether we shall consider the Bill in Committee, for the purpose of removing from its details any thing which the House may consider objectionable, for mitigating unnecessary severity, or diminishing the pressure of unconstitutional enactments; the question which the House will have to decide will be, whether they will reject altogether this proposal, whether they will refuse the consideration of any modification, whether they will imply that the present condition of Ireland can be dealt with by the existing law—and imply also an opinion that no additional precautions are necessary for the purpose of giving that protection which we think requisite to give to life in Ireland. As I deprecate a decision in favour of the rejection of this measure, I feel it necessary to vindicate the course which Her Majesty's Government have taken; to assign the reasons why they proposed this measure, why they still think it necessary for the purpose for which they originally introduced it, and still feel it their duty to urge it on the House. I shall, as far as I can, limit my consideration of the question to that point. I shall introduce, with reference to hon. Gentlemen opposite, no allusion to those political and party considerations which have been adverted to in the course of this debate. I admit this—acknowledging, as I do acknowledge, the disinterested and cordial support which Her Majesty's Government received from hon. Gentlemen opposite, throughout the progress of those commercial measures which have at length been ratified by this House—that a temporary concurrence with the object of promoting the success of those measures imposes no obligation whatever upon them, either to place confidence in Her Majesty's Government, or, still less, to consent to measures of an unconstitutional character, which they may think unnecessary to the effectual administration of affairs in Ireland. I shall give them the credit of presuming, after all they have said with respect to the mischief of making Ireland an arena for determining party purposes, that this will be the consideration by which they will be influenced, that they will consider whether or no this proposal be justified by the circumstances of Ireland; whether or no it be in itself an advisable or objectionable measure; and that their course will not be influenced by a reference to extrinsic and party considerations. Sir, Her Majesty's Government felt it to be their duty to propose other measures more severe than those which the existing laws authorize; because they found that in certain districts, in certain counties in Ireland, there prevails, and has long prevailed, a defiance of the authority of the law; that in four or five counties in Ireland there have been for several successive years outrages so grievous, and danger to life and property so alarming, that those who lived in those counties, prepared to give their allegiance to their Sovereign, have not received that which they have a right to expect in return—protection from the law and institutions of their country. Her Majesty's Government have found, not only that life is in danger, not only that the free liberty of action is controlled by a grievous tyranny, but they found that law has been paralysed, that evidence cannot be procured, that repeated murders are committed, and that no trace can be discovered of the murderers; and, under these circumstances, fearing the contagion of these offences, fearing that they might spread into other counties, seeing that the existing law was insufficient to give protection, they felt it their duty, but with painful reluctance, after great delay, and after numerous complaints of their apathy and indifference, to appeal to Parliament for additional powers for the maintenance of the public peace. And I confess, in the course even of this debate, I have found in the speeches and statements of those who are the most strenuous opposers of the policy of the Government, nothing very consolatory as regards the state of Ireland. I have found no denial of those facts on which Her Majesty's Government grounded the introduction of the Bill. I will ask the hon. Member for Belfast (Mr. Ross), who resumed the debate, did he deny the allegations of Her Majesty's Government? [Mr. Ross: Yes.] Yes! Why, the hon. Gentleman said this—so abominable was the system of outrage in many parts of Ireland, that in case the Landlord and Tenant Bill, which we were about to introduce, failed in its operation, and that the outrages continued during the next winter to the same extent to which they have prevailed last winter and the winter preceding, that then the hon. Gentleman in the course of next Session should be prepared to support a Bill enabling the Lord Lieutenant

to proclaim districts in Ireland, within these districts to suspend the Habeas Corpus Act, and to take an unlimited and uncontrolled power of committing to prison, and retaining in confinement all persons offending in the manner described. Did not the hon. Gentleman say, that when you once departed from the form of the Constitution, the wider the departure the better? I understood the hon. Gentleman to say also, that to propose inefficient measures, yet departing from the Constitution was most unwise; and that he would prefer so extreme a measure as the suspension of the Habeas Corpus Act—creating an undefined terror not only among all disturbers of the public peace, but also among those not charged with crime—to the measure of Her Majesty's Government. Then see what do these admissions amount to? That if the result of the Landlord and Tenant Bill, about to be submitted to us, is not sufficient, during a trial of some months, and that this same extent of outrage prevails next winter that prevailed before, the hon. Gentleman is then prepared to give the Executive Government power to suspend the Habeas Corpus Act! I put this question to the hon. Gentleman—does he mean to deny that the state of Ireland is such as to require a measure of this kind? Does he mean to deny that the state of Ireland is such as to require some such extreme measure as that which we now propose to enact? But what was the speech of the right hon. Gentleman the Recorder of Dublin? Why, I confess that I heard but one argument fall from the right hon. Gentleman, and that was the housemaid argument. He said that this housemaid came to him, and, greatly to his regret and disappointment, informed him that she could not accompany him over to Ireland. So that it appears that the right hon. Gentleman was unable to prevail upon the lady to accept of his offer, inasmuch as she had an aged mother, who became so alarmed at the idea of her daughter going to Ireland, from the frightful accounts she had heard of that country, that she would not permit her to proceed thither. ["No!"] Well, really, I must ask the right hon. Gentleman himself, at this stage of the discussion, to explain what he did say respecting this housemaid.

MR. SHAW: I am sorry to interrupt the merriment of my right hon. Friend. I stated that, from the highest to the lowest in England, great ignorance prevailed as to the condition of Ireland, and the character of the Irish people; and I illustrated that by the anecdote to which he is alluding, and the practice of the right hon. Baronet the Secretary of State for the Home Deportment (Sir James Graham). I must also remind my right hon. Friend that I was referring to a part of Ireland as peaceable and safe as any in the United Kingdom.

SIR R. PEEL: Sir, one of my reasons for asking for this explanation was, that considering the judicial gravity of the right hon. Gentleman, together with the statement he had in the first instance made, I must confess I did not consider the observation of the right hon. Gentleman satisfactory, and I therefore thought it best to give him an opportunity of explaining himself. I now say, with perfect sincerity, that nothing could be further from my mind than to cast any reflection whatever on the conduct or motives of the right hon. and learned Gentleman—*ne sit ancillæ tibi amor pudori!* I must, however, remind the right hon. Gentleman that the mother of this girl had no doubt heard that the learned Recorder of Dublin in his place in this House, had pressed the Government very earnestly to bring on this Curfew Bill. The lady must have heard that one of the first questions put to the Government upon this subject by the right hon. Gentleman was to this effect:—"Why in the present state of Ireland, when murders are committed almost daily, do you lose an hour in bringing forward your Bill?"—though she might also have heard that the Government did not attach so much importance to the statements of the master of this housemaid, as the right hon. Gentleman. I mention these particulars with the view of showing that my right hon. Friend himself is more responsible for propagating these extreme representations of these murders than the Government. What says my right hon. Friend again? Why he says that if the Government on the first day of the Session had introduced this Bill into the House, and had proceeded without delay to pass it, so urgent did he deem the necessity for it then, that he was confident it would have passed without opposition. He, however, now thinks this measure unsatisfactory and inefficient in its provisions, although he admits he was fully prepared to support it, if it had been proposed at an early period of the Session. Now upon what grounds do we introduce the Bill? Why, upon no other than the urgent necessity which we feel exists of

providing for security of life and property in Ireland. The hon. Member for Stroud (Mr. P. Scrope) says this system of combination and murder in Ireland is the natural and almost necessary substitute for a Poor Relief Bill. The hon. Gentleman says that there is no chance of obtaining tranquillity in Ireland until you pass a law giving the Irish peasantry a right to live upon the land. Now I differ from the hon. Gentleman. I think it would be an unwise provision to introduce such a Bill; and I do not believe it would have the tendency to promote those objects which the hon. Member has in view. In my opinion it would but lead to the confiscation of property, and would not afford any effectual remedy for destitution. But, says the hon. Member, until you pass a law of that nature, the Irish peasant will not have any right to live in Ireland, and the only means to which he can resort for the purpose of relieving his distress and saving himself from starvation is by this combination against the landlords. Now, what a melancholy state of things is this! What a picture of society the hon. Gentleman presents to our view. The hon. Member then read the evidence of a gentleman of the name of Cahill, who was appointed by the late Sir Michael O'Loughlin to the situation of Crown prosecutor for Tipperary. Now I find that evidence confirmed by the evidence of the same gentleman given before the Devon Commission, of which the hon. Gentleman who recently spoke (Mr. Redington) formed a valuable Member. And what is the account which Mr. Cahill gives? He is asked by the Commissioners how he was able to collect evidence? His answer was—

"I find it almost impossible to get at the evidence. I have been engaged by the direction of the Crown in the investigation of three or four murders which were committed in Tipperary, and I have found it almost impossible to obtain the necessary evidence." He is asked, "Is it your opinion that many persons were witnesses or cognizant of these murders?" His answer is, "I do; but I attribute their indisposition to give information in some degree to fear, but, generally speaking, to the peculiar interest that is mixed up in these murders, and the feeling that is entertained against any person giving such evidence, such individual being looked upon as an enemy to the people." In answer to another question he says that "the peasantry will receive a man that is known to have been guilty of such a crime, and will harbour him." A person of this character is sure of being received wherever he goes, and he has the character of what they call a good boy."

Now that is the state of Tipperary, as described by a gentleman who is admitted by hon. Gentlemen opposite to be a very good authority. The murderer, it appears, is harboured in Tipperary—there is an indisposition to give evidence against him—the functions of the law are paralysed, and the family of the murdered man have not even the small atonement of witnessing the conviction of the assassin. That, I say, is a most lamentable state of society. But do the Government think that this measure of extraordinary severity is any remedy for this evil? Do they think that is the only remedy? Far from it. It is with the utmost reluctance we have proposed this measure as a temporary precaution. But with the strongest impressions upon our minds that it is only calculated to mitigate the pressure of an immediate evil, we are also fully convinced that it cannot constitute the foundation of any social improvement in the country. The Government admit as freely as you do that other measures of a different character are absolutely necessary. They believe that the executive administration of Ireland ought to be conducted with a kind and indulgent feeling. They fully admit that the causes of these disorders, whether they be connected with the tenure of land or otherwise, should be fully inquired into, and that the foundation ought to be laid by the Administration, where possible, and by legislation, where required, for those permanent improvements which measures of temporary severity can never effect. But although Her Majesty's Ministers, while they freely admit that for any good purpose of a permanent nature, this Bill will afford a most insufficient remedy, yet they feel that if you allow crime to become triumphant, and uncontrolled tyranny to be established throughout those districts, by means of physical force, you are neglecting your immediate duty towards those parties who are exposed to danger, and preventing the consummation of their hopes, which the wiser or more benevolent legislation of this House has laid the foundation of, in the permanent improvements which have been carried out. And what is the state of things in those counties which have been particularly referred to? Have I not heard the description of one of those counties from the eloquent lips of the hon. Gentleman opposite—namely, that such was the insecurity of life in Tipperary—such the insufficiency of the law and the difficulty of obtaining a committal on the conviction of the offender for crime, that he advised the Government to take the step of requiring the grand jury panel of the county to be served upon the petty jury

upon fines of 500*l.* or 600*l.*; that the magistrates and the county should be called upon to meet this case of dire necessity; so that he recommends that the grand jury who establishes the inquisition into the probable guilt of the accused should afterwards in heavy penalties be compelled to serve upon the petty juries, so as to insure convictions, which terror prevents you attaining now. I ask English gentlemen to say what they think of a state of society which renders it necessary for those who usually have discharged the functions of grand jurors, to discharge now those which, up to the present time, have devolved upon a totally different class of society. Did I not hear the right hon. Gentleman only two years since say it was his advice that witnesses should be induced to give evidence by the assurance that afterwards they and their families would be removed in security to another country than the scene of their birth; that all their domestic relations should be interrupted; and, in order to preserve their lives, that a guaranthe should be given them for their permanent provision in some of our colonial possessions? And he said, unless you have done that, you can have no hopes of getting evidence, and no chance of having a conviction afterwards. Now, that was the advice given by the right hon. Gentleman two years since, in respect to the state of one of their counties: and what did the hon. Baronet say who had moved the Amendment? "That this Bill be read a second time this day six months." The hon. Member for Drogheda said but a fortnight since, that so atrocious were the outrages that were committed—so little respect had the offenders there for either age or sex, that he believed the national character of the people was altered. Now, these are the admissions which we have received from the Gentlemen who come from Ireland, and who must be cognizant of all the circumstances of that country, and are able to judge whether the existing law gives adequate protection to the inhabitants. Sir, I think that their evidence was at least material as to the statistical statements we have heard. We have therefore thought it our duty to propose a measure similar to that which was proposed by those who it appears are now to offer us every opposition. It may be objectionable to have a law which is now designated by the title of the Curfew Bill. You may be able now to point out the inconveniences of it where peasants are obliged to work at a distance from their homes, and whose return to their homes would be interfered with, except at the risk of apprehension, as being discovered out of doors within the forbidden period; but let me remind you that your sense of these evils was not so great in respect to that measure that was passed by another Administration — let me remind you that you then willingly consented to the same provision that is so much objected to in the present Bill, namely, that of giving power to the Lord Lieutenant of proclaiming a district, and thereby confining the parties within it to remain inside their houses between sunset and sunrise. That was the law of the land under the late Government; and you had it during the whole period you were in the Administration. It was enacted for five years, from 1835, and it was continued in full force until 1841. During that period no attempt was ever made to repeal it, except once, and that attempt was only supported by three persons independent of the mover. Amongst the sternest of the opponents to such repeal, then, was the hon. Member for Drogheda himself. There was, certainly, this distinction between the two measures—under the present Bill the offender will be subject to transportation; but the party who offended under the former measure was liable to fine and imprisonment. The *corpus delicti* was, however, the same in both. The Lord Lieutenant had the same power of proclaiming districts. [Mr. O'CONNELL: No!] Why, he had this power upon the presentment of the grand jury. [Mr. O'CONNELL: That presentment was, however, traversable.] I apprehend not, in that case. A civil presentment I know is traversable; and I speak with great deference to the hon. Gentleman's high legal attainments and information, when I say that it is my impression the presentment under the former Act was not traversable by law. There is no analogy whatever between the grand jury presentments under the ancient prescriptive practice, and under a statute of a peculiar nature. But will the right hon. Member consent to amend the Bill in this way?—will he permit it to pass if the grand jury be made a necessary preliminary in the proposed measure? No! I apprehend that he will not consent to do any such thing—he will not consent to go into Committee for that purpose. I am now only showing why Government have felt it necessary to resort to some extra-

ordinary measure. On the whole, then, the Government have thought the best course they could take was to resort to that measure, which, in substance, had received the previous sanction of the Legislature, and which the Legislature, for a period of five years, had refused to repeal —a measure which had produced the most beneficial effect, without ever having been once called into action. Now, we certainly anticipate the same consequences from the passing of the present Bill, and that the existence of the dormant powers of the law may operate now as they operated before; and, considering that there was the additional provision in it of subjecting the particular district to pecuniary penalties for the crimes that may be committed in it, we hope that even though no proclamation be issued under this Bill, still the same results may follow the passing of this measure as followed the enactment of the law of 1835, and that peace will be restored, without subjecting the inhabitants to the inconvenience which such a proclamation must necessarily impose. I am now vindicating the Government for the course which they have taken in reference to this measure. I am not, however, denying to you the perfect right, notwithstanding your approval of a Bill of similar tendency, of acting upon your convictions in declaring that this measure is wholly unnecessary ; and be the political consequence what it may of withholding your support to this Bill, I shall cast no reproach upon you for whatever course you may take against it. I think it is your duty to oppose this Bill, if you really believe it to be unnecessary for the purposes intended ; but it is my duty to vindicate the Government, who take a different view upon the matter—who have been charged with the responsibility of protecting life and property in the kingdom, and of upholding the law—when we consider that it is inefficient to meet the evils which may arise. I could not perform that duty without the sanction of Parliament. When this Bill was introduced at an early period of the Session, my right hon. Friend near me went through a detail of the crimes that were committed in Ireland—the frequent murders—the numerous instances in which the murderers had been permitted to escape. We are now invited to abandon this Bill because it is said that great improvements have taken place in the social condition of Ireland. Had there been this improvement, there would no doubt be some circumstances to warrant us to withdraw this measure. But I do believe that the extraordinary exertions which have been made by the Government to mitigate the evils arising from the want of food—the numerous Committees which have been established—the aid which has been given by every description of force, civil and military, for the purpose of ensuring a proper supply of food—the perfect success which has attended the measure which the Government resorted to by the introduction of large quantities of Indian maize—I believe, I say, that these measures, as might have been expected in a generous and kindhearted people, have produced a corresponding good. I believe that there does pervade amongst the people in the wilds of Connaught, and in Munster, where these measures were more fully carried out, a feeling of grateful acknowledgment towards Her Majesty's Government ; and though circumstances have occurred to justify the expectation that there would be some diminution of crime, I should hardly feel myself justified, under the altered appearance of things in Ireland, to accept of that as a reason for abandoning this law, and permitting this winter to pass over without taking any other precaution against outrage, than that which the ordinary law of the country gives us. I deeply regret to say, however, that there is no such diminution of crime in Ireland. I will take those offences which are called offences of an insurrectionary character. I know not whether I ought to omit the returns of the minor offences; but still they are evidence of a disordered and disturbed state of society. I will therefore take the offences, of homicide, of firing at the person, of aggravated assaults, of assault endangering life, of incendiarism, of killing or maiming cattle, of robbing arms, of appearing armed, of the administration of unlawful oaths, of threatening notices, of attacking houses, of levelling fences, of malicious injuries to property, and of firing into dwellings. These are offences which, if they do prevail in any country to a great extent, if they are habitual, are strong evidence of a disordered state of society, of remote and permanent acts, of which temporary coercion is no permanent remedy; but they may arrive at a height which, if you wish to prevent the paralysation of all law, and secure the means of improvement, you have no resource but to meet them with a strong hand. What is the case in the five

counties which were particularly referred to when this Bill was introduced? Observe, I am replying to your argument, that there has been an improvement in the state of society—an unexpected improvement, which would perfectly justify us in abandoning this Bill. You say that, seeing the distaste of the Irish Members for it, it would be a grateful concession to their feelings. No one would rejoice more than I should to have the opportunity of making any reasonable concession to the representatives of Ireland. I feel the force of their opposition to any measure of this kind; but I submit to their deliberate reason whether or not the facts which I state would justify Her Majesty's Government in withholding this measure from Parliament? They rely upon an improvement in the condition of the country. Is there evidence of that improvement in the five months of 1846, as compared with five months of 1845? I have before me the returns of the crimes in the five months of the present year; and there should exist in them some proof and evidence of an improvement in the first five months of 1846, as compared with the year 1845; but, in my painful review of the state of the five counties, I regret to find that such is not the case. The offences which we call insurrectionary, in the five counties, stand thus :—

	Total of 1845.		Five months of 1846.
In Tipperary.....	814	...	368
Limerick	282	...	248
Clare	271	...	189
Roscommon...	659	...	471
Leitrim.....	804	...	164

In Leitrim, I rejoice to say, there has been an improvement; but in Leitrim there is an overwhelming military force, which it would be impossible to spare for other places; and there have also been on the part of the magistrates and of the stipendiary magistrates the greatest exertions, which have caused this great improvement. If these crimes should continue to prevail during the whole year 1846, in the same ratio in which they have prevailed in the first five months, the total of these insurrectionary crimes committed in 1845 and 1846 respectively will stand thus :—

	1845.		1846.
In Tipperary.....	814	...	833
Limerick	282	...	600
Clare.....	271	...	450
Roscommon ...	659	...	1130
Total ...	2026		3013

So that at the end of the year 1846, assuming that these crimes should continue to the same extent for the next seven months as they have done for the first five months, instead of there being an equal amount of crime, the numbers would be swollen from 2025 to 3013 in those four counties; and in Leitrim there would be the reduction from 804 in 1845 to 414 in 1846. But let me discard such offences as levelling fences, giving threatening notices, and administering unlawful oaths, and compare only the grave offences in the first five months of 1846, with those of the first five months of 1845. The numbers, if I made comparison of the following crimes —1. Homicide; 2. Firing at the person; 3. Aggravated assault; 4. Assault endangering life; 5. Firing into dwellings— will be found to be these :—

	Five months of 1845.		Five months of 1846.
Homicide.....	20	...	28
Firing at person	40	...	41
Aggravated assault.....	85	...	121
Assault endangering life...	41	...	53
Firing into dwellings	46	...	68

Can I then say, that there has been any such diminution of crime as would justify the Government in abandoning this Bill? But let the House look at the returns of— aggravated assault, assault endangering life, incendiary fires, robbery of arms, appearing armed, administration of unlawful oaths, threatening letters, malicious injuries to property, firing into dwellings. From 1st January to the latest time, the end of May, 1846, the total was 2,098; and of these there were in the five counties :—

In Tipperary.....	286
Clare.....	171
Roscommon	383
Limerick	210
Leitrim.....	138

making 1,188 crimes in five counties, and for these 1,188 crimes there were in 54 cases only committals; and that is the distinction I want to draw. I wish to show that these offences are not committed throughout the whole of Ireland, and that in these five counties, with not more than one-sixth of the population, more than one-half the offences have been committed. You cannot assign any cause for these crimes which is universally applicable; you cannot say that the landlord and tenant question applies peculiarly to these five counties; there is a diseased state of society in particular districts; and it is because this criminality is not universal that

we ask for the opportunity of applying a topical remedy. There are 1,188 crimes in these five counties; and I think that one hon. Gentleman, in commenting upon these returns, stated that the columns did not correspond; but I believe I can show the cause of the apparent discrepancy. In the sixth page of the return, towards the middle, there are three different offences set out—a demand of arms a robbery of arms, and an aggravated assault—and these probably count as three different crimes in the summary: there is a second item of robbery of arms, which shows that there were four different cases; and in the last case of an aggravated assault, there were no less than four persons assaulted. The consequence is, that if in one column these are entered as one offence, there is a discrepancy between that and the summary. [Mr. REDINGTON: The four names are for one locality, for the same thing done at the same place. Sure there was not four outrages.] I am arguing from the returns; but I apprehend that if there are four different persons assaulted, there are four different offences, though committed at the same time. [Mr. REDINGTON: There is but one outrage.] Suppose a house were attacked and three persons murdered, surely there would be three murders. [Mr. HAWES: But only one outrage.] I do not think that you would satisfy the anxiety of the relatives by telling them, "True it is that there have been three murders, and three men murdered, but there has been only one outrage." [Mr. REDINGTON: I quoted from the abstract the number of outrages, not the number of persons.] If I am in error I am sorry for it; but I merely suggested what appeared to me to account for the discrepancy. With respect to the account of the persons murdered, which for the purposes of comparison is correct, though whether the name of murder applies to all I am not sure. [Mr. O'CONNELL: Mr. Pigot used the term homicide, because the term murder in former returns was incorrect.] I do not rely on the return as showing in every case that there was a person murdered; but in February, 1846, there were 18 cases of homicide or of murder returned, and 26 cases of attempt at murder. In March, 1846, there were 23 murders or homicides, and 14 attempts at murder. You say that we ought to bring in a law which will correct this evil by going to its root. You tell us to amend the law of landlord and tenant. I admit your views to be sound and sagacious; but, in the mean time, will you permit these nightly tyrannies to go on? Who were the parties who in the month of March last were returned as murdered? A boy, a labourer, a farmer, a labourer, a poor woman, a justice of the peace, a labourer, a shoemaker, a labourer, a labourer, a farmer, a poor woman, a farmer's daughter. It is of these persons that care is to be taken; and if these individuals amongst this class of persons in the month of March last, lost their lives in Ireland, in how many of these cases of murder or homicide were the parties committed to prison? I ask you what must be the anxiety of those who live in Ireland, when this labourer, this boy, and this woman were murdered, if there these things go on with impunity? and whilst the confidence of the murderer must be increased by the impunity, I ask you what must be the apprehensions of those likely to be the victims? Admitting, then, that you take a sagacious view of the proper, permanent, and remedial measure, I ask you whether, without a prospect of the immediate benefit and operation of that measure you will dispense with this temporary precaution, and allow the present state of things to continue? Will it not impede the success of your remedial measures if you permit these crimes to be attempted, especially when you recollect the effect produced by the existence of a similar law, which was never brought into operation? On a consideration of these facts, Her Majesty's Government have thought it their duty still to press upon the consideration of this House the propriety of passing the second reading of the Bill, with a view to the further consideration of its details in Committee. I know not whether I have anything more to say with regard to the vindication of the Government. I will fatigue the House no further by a reference to statistical details. I have mentioned the admission of hon. Members connected with Ireland, and of the proposals they have made, though they would greatly regret the establishment of any distinction, even in the criminal law between Ireland and England. I give you their evidence, though I shall not have their votes, as not the least important admission of the state of the country, and hardly believe that any one acquainted with the state of Roscommon, Tipperary, Limerick, and Clare, can view it without alarm, or can deny the allegations made by the Government, that some

measures of this kind, or of some other, are indispensably and immediately necessary to restore confidence. I do not say that with respect to the administration of the law, but confidence in the security of life. And here, Sir, I should have been willing to dismiss all other topics; but I feel it incumbent on me not to sit down without noticing the speech which was made on the night when this subject was last under the consideration of this House by the noble Lord the Member for King's Lynn. I do deeply regret, not for my own sake, but for the sake of the character of this House —I do deeply regret that during this Session there has been, for the first time, a license assumed which is, I think, injurious to the cause of legitimate debate. Sir, I may refer to the course which I have taken during my Parliamentary life for five and thirty years, for the purpose of showing that at least my example cannot have justified any one in the license now taken. Sir, I have sat in Parliament in times of great excitement, and I believe it to be possible to conduct the freest discussion in this House, and that every latitude can be given for censure either in the free discussion of public subjects, or by the condemnation of questionable acts of the Government; but if the language used by the noble Lord be Parliamentary, then I beg leave to say that the license must not be one-sided. Your sense of justice will induce you to give to all parties the same freedom of speech and of discussion: you will not refuse to extend to those who feel themselves calumniated and maligned, the same license which you have given to their assailants. And, Sir, if in commenting on those attacks, though I hope to maintain the course which has hitherto prevailed with me, and though I hope to respect the usages which public men have hitherto adhered to in the course of public and even acrimonious discussions—yet if I should forget them in commenting upon some of the observations made by the noble Lord, I trust that you will not forget the provocation I have received, and that you will not forget that I, in my place as Prime Minister of this country, am charged with the proposal and the conduct of more important measures than have ever perhaps been submitted to the Legislature of this country. You cannot forget that I have not sought to defend myself without great provocation, though I hope I shall do so in that temper which is certainly becoming in a public man whose acts are impugned. I have felt that it was perfectly right that those whose confidence I have lost should question the prudence of the course I pursued. But there are bounds which ought to be observed by every one who respects the usages of Parliament. You cannot forget that I heard the noble Lord presume not only to question the prudence of our conduct, but to arraign the motives of Her Majesty's Government—you cannot forget that I heard the noble Lord state, not merely that we despaired of ultimately succeeding in carrying that measure (the Protection of Life Bill)—but he presumed to say that we were not in earnest, nor honest in our attempts to carry it. Now, I think, that to question motives in this way is unparliamentary. The House will remember that I heard the noble Lord speaking of those with whom I am connected by official ties—of those who acting from as pure and conscientious a sense of public duty as ever influenced any representative in this House, have given me their support during the progress of my late measures—that I heard the noble Lord characterise them as "hired Janisaries and renegades" —gentlemen engaged in public service —gentlemen exercising their free right of judgment on public matters—that I heard the noble Lord characterize them as hired Janisaries and renegades. [A VOICE: Paid Janisaries.] And this, by a noble Lord who, without being questioned, had exercised the perfect which he possesses to vote according to his sense of public duty. I think the noble Lord voted last year against restrictions on factory labour, and he voted for them this year—but without being questioned as to the honesty of his motives. I think the noble Lord was prepared, although he denied the extent of the famine in Ireland—although he thought that it would not diminish but aggravate the false alarm, yet the noble Lord was prepared to support by far the most absurd and impracticable measure I ever heard of, namely, to permit the importation of foreign grain only into Ireland—that permission not to extend to England. The noble Lord, I believe, voted for the first reading of this Bill upon the ground that no man could safely go to church—that old women going to church were subjected to constant danger—that women with children in their arms were assassinated, and that there was no security for life and property; and he and his friends were determined that this license should no longer be tolerated under the name of British and constitutional li-

berty. Well, the noble Lord is now prepared to vote against the second reading. The noble Lord says he withholds his confidence from the Government, and he thinks he is justified on this ground; but if he claims to himself the privilege of changing his vote, I tell him that he is bound to withhold from others such expressions as "paid janisaries and renegades" for doing the same thing. Why, who are the men whose motives the noble Lord impugns? Look at them. I don't name them, because they are more particularly and eminently entitled to respect than others. I believe that every man gave his support from pure and honourable motives. But is it to be tolerated that such men as my right hon. Friend the Chancellor of the Exchequer, as Lord Francis Egerton, as Mr. Wilson Patten and Mr. Escott—is it to be tolerated, that because they exercised that perfect right which every Member may exercise, that such men should be branded with the names of "paid janisaries and renegades?" I do believe that such language as this is not only calculated to impede fair discussion, but that, unless there is a restraint laid upon its exercise, however right party feeling may prevail, it is calculated to create unmitigated disgust. I now come to the personal attack which was made upon me. I am glad that I did not act upon the impulse of the moment, and reply to that attack when it was made. It referred to circumstances which have now passed nineteen years. I certainly have but an imperfect recollection of the exact details. I rejoice that I did not attempt to answer those personal imputations until I had had an opportunity of ascertaining how far they were well founded. That attack was made in presence of many Members who have entered Parliament now for the first time, and who have perhaps but an imperfect recollection of the circumstances to which the noble Lord referred; and I am particularly anxious that, however hostile they may be to me in other respects, they should not remain under the impression which the noble Lord's attack is calculated to convey. The attack to which I refer was contained in these words: the noble Lord said that—

"He was old enough to remember, and he remembered it with deep and heartfelt sorrow, that he (Sir R. Peel) chased and hunted an illustrious relative of his (Lord G. Bentinck's) to death, on the ground that, though he had changed no opinion, he was, from the station which he then held, likely to forward the question of Catholic Emancipation. He could recollect that such was the conduct of the right hon. Gentleman in 1827. In 1829 he told that House that he had changed his opinions in 1825; that he had communicated his change of opinion to the Earl of Liverpool; but that, it proved, did not prevent him in 1827 getting up in the same assembly and stating that the reasons he severed himself from Mr. Canning's Cabinet was, that he could not consent to support a Government of which the chief Minister was favourable to the measure which in two years more he (Sir R. Peel) himself carried."

The noble Lord said he was old enough to remember those things. No doubt he was old enough; for he was a Member of Parliament at the time, and the noble Lord heard all that passed. It is now nineteen years since that transaction occurred. It is seventeen years since the speech was made in 1829; and nineteen years since the occurrences of 1827. I must say that I respect the feelings of any man who feels indignant at the conduct of any one who "chased and hunted his relation to death." I say I respect his feelings. The noble Lord abhors those who attempt to hunt and chase a public man who acts in the performance of his public duty. And I repeat that for such feelings I have the highest respect. But how comes it that, entertaining those feelings, the first time I ever heard of them was on Monday last? The noble Lord has been a Member of Parliament since 1826. There may have been intermissions; but, since 1835 I have been honoured with the noble Lord's cordial, and, I must say, his pure and disinterested support. He called me his right hon. Friend—he permitted me to be the leader of the party to which he belonged—he saw me united to his own immediate connexions and followers; never and until Monday last, in June, 1846, did I harbour the suspicion that the noble Lord entertained such feelings in respect to me—a man who hunted and chased his relation to death. I repeat that, entertaining these feelings may be highly honourable, and I should respect the noble Lord for entertaining them. They are apart from ordinary political considerations. A lapse of time may change political circumstances, and may compel combinations in politics which are unforeseen in regard to suppport given to opponents; but if the noble Lord really believed that I hunted and chased his illustrious relative to death, I cannot understand now, without making any public or private intimation to me that he had those feelings, the noble Lord could consent to accept me as his leader, and call me his right hon. Friend. I am now going upon the as-

sumption that this charge against me is founded in fact. I am proceeding on the assumption that I did really ever inform Lord Liverpool in 1825, that my opinion had changed on the subject of the Catholic Relief Bill. The bearing of the noble Lord's personal imputation upon me is this —that I declined to act with Mr. Canning in 1827—that I declined to act as Secretary of State, Mr. Canning being Prime Minister; but that in 1829, when I was about to propose the revoval of the Roman Catholic disabilities, I then admitted that in 1825 my opinion on the subject was changed, and that I had made the declaration in 1825, to another, which I had not made in 1827 in the presence of Mr. Canning. Now, Sir, I ask the noble Lord the Member for Lynn whether, consistently with the principles of justice, fairness, and common honesty, he was not bound to have inquired before he made so serious an accusation against me, whether there was any foundation in truth for the charge he proposed to have advanced? Sir, what I said in 1829 upon this subject exactly corresponds with what I uttered in 1827. And, furthermore, what fell from me in the last-named year was uttered in the presence of Mr. Canning himself, whose own remarks perfectly confirm mine. I will read for the House what I said in the year 1827. I can assure you, unaffectedly, that it is more painful to me than it can possibly be to any other Member, that I should be under the necessity of interrupting so important a discussion as the present, by troubling you with matter personal to myself; but I throw myself on the consideration of the House, and I am sure that even of those who most loudly applauded the speech of the noble Lord, there is not one who will not recognize my claim to vindicate myself from so odious an aspersion as has been sought to be cast upon me. I do not ask you to rely upon my account of these transactions. I will give you the book of reference and the day and date for everything I assert. In the reported Parliamentary debates of the 1st of May, 1827, and of the 5th and 6th of May, 1829, you will find a detailed account of all that passed in this House on the occasion in question; and all those who feel an interest in this matter have at their command the means of justifying my statement by referring to those reports. I was speaking on the 1st May, 1827, Mr. Canning being then alive, sitting in his place in his place in this House, and listening to everything I said, and the words I used were these—

"In the beginning of the year 1822—(a distinction certainly unsought and unsolicited on my part)—I was appointed Secretary of State for the Home Department, with full notice, I admit, of the difficulties I might thereafter have to combat. If I retained office, it was not from personal motives, or from any desire of the distinction conferred; and in 1825, after I had been left in minorities on three different questions immediately connected with Ireland—the Catholic Question, the Elective Franchise, and the Payment of the Catholic Clergy (which I thought something very like the establishment of the Roman Catholic religion in Ireland)—I waited on my noble Friend, then at the head of the Government. I told him that, personally, it was painful for me to disconnect myself from those whom I esteemed and respected; but that, having been left in a minority in that branch of the Legislature of which I was a Member, I anxiously desired to be relieved from my situation. The reply of my noble Friend was, that my retirement would determine his own. I finally consented to remain in office, my noble Friend declaring that he deemed it of the highest importance that the Secretary of State for the Home Department should possess opinions as much as possible in accordance with those of the Prime Minister. He represented to me the difficulty he should experience in filling up the situation, and, in short, that my retirement must determine his own. I was thus induced to waive my wish for retirement, and to consent to remain until a new Parliament had pronounced an opinion upon the great question which interests and agitates Ireland. When last I addressed the House on the subject, on the resolutions of the hon. Baronet the Member for Westminster, I expected to have been again in a minority; and, had that expectation been realized, I should then have withdrawn from the service of His Majesty. Although I prefer no complaints—for I have always been treated with the most perfect good faith—yet it was no enviable situation at any time to be the single Minister in this House responsible for the administration of the affairs of Ireland—opposed by all my Colleagues, and daily seeing those very Colleagues, the Members of the Government, actively concerting measures with my political opponents. They were at perfect liberty to do so; for it was understood that every man might exert himself, either in opposition to, or in promotion of, the Roman Catholic claims. I make no complaint, I prefer no charge on this account; I can only state the fact, as the reason which made my situation extremely embarrassing. The support and assistance I received from my noble Friend (Lord Liverpool) certainly rendered my difficulties less; but if, in the place of him with whom I cordially concurred—with whom I entered into public life—and between whom and myself there never was a shadow of difference of opinion upon any subject;—if, I say, in his place, I find my right hon. Friend, with whom I had the misfortune at all times to differ upon that paramount question, it is obvious that it was impossible for me to retain the particular situation I held, of Secretary of State for the Home Department, connected as it was with the office of Prime Minister. Is there an hon. Gentleman who hears me who does not feel that if it was impossible for

me to retain that situation, it was as impossible for me to be guilty of the paltry subterfuge of removing to another? I am perfectly satisfied every Gentlemen will be convinced that I took the only course remaining to me; and that, after the misfortune which befell my noble Friend the Earl of Liverpool I had no alternative but to retire."

This was the declaration which I then made, in the presence of Mr. Canning. Mr. Canning spoke after me, and what he said was this:—

"To begin with the more agreeable part of my task, the speech of my right hon. Friend, I shall confirm the greater part of that speech. I can bear testimony that throughout the whole of the discussions that have taken place since Parliament was adjourned, I have kept up with my right hon. Friend the most constant and confidential intercourse; and throughout have I found in him the same candour and sincerity, and the expression of the same just feelings, and a uniform exhibition of the same high principle, to which he has laid claim in the address which he has this night delivered. I assure the House that they much mistake the position in which I have the honour to stand, who believe that position to be one of gratified ambition, or as conveying the feeling of unalloyed satisfaction. From the beginning of these discussions I foresaw—both of us foresaw—that they must terminate in a separation; which I hope to God may be only for a time! Had the question been merely between my right hon. Friend and myself, and had it been to be decided by his retirement or by mine, I do most solemnly declare it should have been decided by the latter alternative."

So, you see, Mr. Canning, in the year 1827, when I assigned my difference from him on the Catholic question as the cause of my retirement, so far from saying anything that would give the slightest colour of truth to the version of these transactions which is contended for by the noble Lord the Member for Lynn, declares that in the year 1825 I did not represent to Lord Liverpool that my opinions on the Catholic question had changed; but that, on the contrary, the state of the case was this, that finding the divisions in the Cabinet intolerable, and my own position exceedingly painful, from being opposed by my Colleagues, I said it was not at all right nor desirable that such a state of things should continue, and that I was anxious to retire from office. I repeated this offer in 1829. But what passed in 1828? Did the course of conduct which the friends of Mr. Canning pursued in that year, indicate a conviction on their part that I had "hunted him down, and chased him to death?" In January, 1828, the Duke of Wellington was called to power. After the explanations which had been made in 1827, and at a period but shortly subsequent to the death of Mr. Canning himself, proposals to join in forming a Cabinet were made to the friends of Mr. Canning—friends quite as faithful and devoted as the noble Lord the Member for Lynn. Did they refuse to unite with the Government? Did they bring the charge against me of having acted unfairly or dishonestly towards their Friend? Did they accuse me with having hunted and chased him to death? Not one of them. Amongst Mr. Canning's most intimate friends were the late Mr. Huskisson, Lord Dudley, Mr. Grant, and the present Lord Melbourne. Not one of them made any objection on account of any preceding transaction. They one and all consented to serve with me in the Government and Cabinet. Is it likely that, if such an impression respecting me prevailed in their minds as would appear now, for the first time, to rankle in the heart of the noble Lord, they would, in five months after the death of Mr. Canning, join with me in the Cabinet, and admit me as the leader of the House of Commons? Is it likely that that man who is the personation of a gallant and chivalrous spirit—the embodiment of every generous and manly emotion—the Marquess of Anglesea—is it, I ask, likely, that he, the intimate friend of Mr. Canning, would have consented to go to Ireland as Lord Lieutenant while I was Secretary, if he had participated in the sentiments of the noble Lord the Member for Lynn, that I had acted unfairly towards Mr. Canning, and had actually chased and hunted him to death? But with that I have no concern. I merely refer to the conduct of those eminent persons for the purpose of showing that they, at least, did not share in the feeling of the noble Lord. But I will not be content with inferences or conjectures; I will meet the assertion of the noble Lord in the plainest and most direct manner; and this I do not hesitate to say, that the charge of the noble Lord—that in 1829 I avowed a change of opinion in 1825, which change of opinion I concealed in 1827—I say, I hesitate not to declare that that charge is utterly and entirely destitute of foundation. Sir, when I undertook to propose those measures which have recently received the sanction of the House, I foresaw not merely the disruption of many ties, the existence of which I regarded with pride, but the manifestations of bitter hostility, to which I knew I should be subjected in the execution of my public duty. I have explained

the motives which led me to think that the public interest demanded that there should be a final adjustment of the Corn Law question—I had to choose between organising a decided and interminable opposition to any change, and undertaking (in case the noble Lord the Member for London should be unable to do so), to lay the foundation of a measure of final adjustment. I foresaw the consequences to which that act of mine would lead. I saw that it would probably lead to the extinction of political power, and necessarily to the heavier penalty of the loss of confidence of those who were wont to confide in me, and the abatement and extinction of private friendships. It is for you to decide whether or no the reasons and considerations which prevailed with me in inducing me to adopt the course I undertook were adequate and sufficient. It is possible I may have been erroneous in my views. It might perhaps have been possible to have continued opposition. It might have been right to have committed the Lords and Commons, notwithstanding what had occurred, to that course of policy. Notwithstanding the absolute necessity for some relaxation of duties on the lower species of grain, it might perhaps have been possible to have continued for a time higher duties on particular species of corn; but my opinion was, that regard being had to the change of public opinion upon this great question, any attempt to tamper in slight particulars with the Corn Laws, while the great principle remained untouched, would be nugatory and irrational: and I at the same time saw that a refusal to consider the question at all could not fail to draw down great odium and contumely on those for whom I felt a deep interest. I may have been mistaken in these views; and the mistake, if it be one, may and ought, perhaps, to involve the forfeiture of political confidence; but that I have been influenced in this course by any impure or dishonourable motive, or any desire to rob others of the credit which is their due; that I desired to interfere with the noble Lord (Lord J. Russell) whom I should have been glad to see in office; that I was influenced by any desire to court popularity, or to gain distinction or advantage of any kind—I declare that the imputation to me of motives so base, would be as foul a calumny as a vindictive spirit ever directed against a public man.—Debate adjourned.

House adjourned at a quarter to One o'clock.

HOUSE OF LORDS,

Monday, June 15, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Small Debts; Juvenile Offenders.

PETITIONS PRESENTED. By Lord Campbell, from Derry and other places, praying that a Bill may be passed compensating Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).—From Bedford, and other places, against the Corn Importation and Customs Duties Bills.—From Chichester, for the Substitution of Affirmations in lieu of Oaths where persons having Conscientious Scruples object to be sworn in Courts of Justice.—From the Parish of All Saints, Wandsworth, complaining of the Inadequate Remuneration and Inconvenience that Petit and Common Jurors are subject to at Assizes, and for a Revision of the Laws relating to Jurors.—By the Duke of Buckingham, from Inhabitants of Falmouth, in favour of the Corn Importation and Customs Duties Bills.—From Railway Passengers on the Bristol and Birmingham Line, complaining of the Inconvenience attending the change of Carriages at Gloucester resulting from the Break of Gauge.—From the City of London, against the Corn Importation Bill.—From Westminster, for the Adoption of a Measure for the Employment and Reformation of Discharged Prisoners.—From Guardians of the Droitwich Union, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.

CHESHIRE AGRICULTURAL PROTECTION SOCIETY.

LORD DELAMERE was understood to say that he was anxious, in defence of his character, to offer a few words of explanation to their Lordships. The noble Duke (Richmond) on a former occasion had stated his surprise at finding his (Lord Delamere's) name as a member of the Cheshire Agricultural Protection Society. He (Lord Delamere) answered without hesitation that he had never belonged to that society, and that he never had belonged to any society of the sort, and that he believed he had never aided that society by subscription, but that he could not tax his memory; his strong impression, however, was, that he had never done anything of the sort. He now repeated that he never did belong to the Cheshire Agricultural Association; and he felt called upon, as a gentleman and man of honour, to declare that what he had said on the former occasion as to not being a subscriber he then repeated. It was strictly true. The fact was, that when the Anti-Corn-Law League began distributing pamphlets and laying out money for the purpose of setting tenants against their landlords, and began to tamper with the registration, he, with a large portion of the gentlemen of the county did attend a meeting at Northwich to see whether it might not be possible to defeat the machinations of the Anti-Corn-Law League; and it being considered necessary that there should be a small sum at the command of the Committee, for the

discharge of legal, advertising, and other expenses, he had subscribed something and paid it immediately to the chairman; but he had never attended any meeting afterwards, and he never was a member of the Cheshire Agricultural Protection Association, nor any other protection association. If the noble Duke had told him what he (the Duke of Richmond) had stated in his (Lord Delamere's) absence from the House, he should have immediately risen and made the explanation he had just given.

The DUKE of RICHMOND: It appears, from the noble Lord's statement, that the people in his part of the country do not hear much, neither, I am afraid, do they remember much. Your Lordships may remember, that I got up the other night to justify myself as to the grounds which induced me to believe that the noble Lord was a member of the Cheshire Agricultural Society. The moment I saw the noble Lord in his place I told him what I had stated, though, as there was a debate going on, he might not have heard what I said.

LORD DELAMERE: I give you my word of honour I did not.

The DUKE of RICHMOND: I am not charging the noble Lord, I beg to remind your Lordships, with a greater offence than has been perpetrated by many of your Lordships—a change of opinion on the corn question within the last two years. I tell you fairly, my Lords, that ever since this Bill came into your Lordships' House, I have come down every night with a list of all the noble Lords favourable to it who have been members of protectionist societies; and I should not be at all surprised if, before the debate closes, I find an occasion of reading to your Lordships what I conceive to be so curious as well as perhaps instructive a document. It appears that on the 5th March, 1844, there was a large meeting of the gentry and farmers of Cheshire, who met in the market-place, and so large was the attendance that there was obliged to be an adjournment elsewhere. Now the first resolution that was proposed at that meeting was—

"That a society be formed for the protection of agriculture; that the objects of this society be not merely the protection of the landed interests against the schemes of the League, but also to oppose all measures that may be brought forward, having a tendency to deprive agriculture of that protection to which it was so justly entitled. That this society ought not to interfere with political subjects, but that every effort should be made to secure to the tenant-farmer a fair remuneration for his industry, so as to enable him to give to the labourer a fair day's wages for a fair day's work."

This resolution, my Lords, I find was moved by the right hon. Lord Delamere. My Lords, that is the paper on which I rest my justification. I agree in every syllable of it, and I only wish the noble Lord had adhered to it as stedfastly as might have been expected from the part he took in those proceedings.

LORD DELAMERE: With regard to that meeting I certainly attended it, and it was very numerously attended. But the adjournment spoken of did not take place from the great numbers attending it, but from the fact of our having been ousted by the Anti-Corn-Law League. The resolution alluded to was certainly moved by me, but it was moved in conjunction with many others bearing on the particular circumstances of that period; for then it was that paid emissaries were sent by the League to Cheshire, who endeavoured to separate the farmers from the landlords, and the labourers from the farmers. That resolution was accompanied with others as to registration. I refused an invitation to belong to the Protection Society of Cheshire, nor did I ever pay a halfpenny towards it except the trifle of 25*l.* which was given for the purpose of counteracting the machinations of the League.

VISCOUNT COMBERMERE: I can only say that, as chairman of that society, I always considered the noble Lord as one of our most active and efficient members. As he has now withdrawn, of course I can no longer look on the noble Lord in that light. The noble Lord says he did not pay his subscription. I received this morning a letter from Mr. Harding, a neighbour, if not a tenant, of the noble Lord, who says, as secretary of the Association, "Having seen that Lord Delamere stated that he did not belong to any protection association, or subscribe to the funds of any such society, I beg to state, for your Lordship's information, that Lord Delamere is our vice-president, and that he subscribed to our funds towards the end of last year; and further, that he moved the first resolution at our meeting," that referred to by the noble Duke (Duke of Richmond).

PETITION OF THE MERCHANTS, BANKERS, TRADERS, &c. OF THE CITY OF LONDON.

On the Order of the Day for resuming

the Adjourned Debate on the Question, "That the House do now resolve itself into Committee," being read,

LORD STANLEY said: I hope it will not be looked upon as any violation of any previous understanding for proceeding with the Adjourned Debate at once, if I present to your Lordships a petition worthy of your most attentive consideration, bearing immediately on the question now under discussion. My Lords, this is a petition—and I consider it a high honour to be selected by such a body to bring under your notice such a document—signed by merchants, traders, and bankers of the city of London. I will not say that those petitioners request your Lordships to reject the Bill under consideration. I desire not, in the slightest degree, to exaggerate the importance of the petition I desire to lay before you. The petitioners are many of them largely embarked in enterprises connected with our commercial interests; and having to attend to their own private concerns they interfere with reluctance in any political matter whatever, and would be satisfied to leave a question such as this to the deliberate and impartial consideration of Parliament. They have not petitioned your Lordships on the subject of this Bill; nor would they now have done so, had it not been that a petition was presented by the noble President of the Board of Trade, purporting to be the petition of the bankers, merchants, and commercial men of the city of London, in which it was stated that, in their opinion, the passing of this measure was essential to the progressive prosperity of every class of the community. My Lords, if there be any class especially whose interest this Bill purports to be designed to serve, it is the mercantile and commercial class; and, no doubt, a considerable impression was produced on your Lordships' minds by a petition presented by one who held high official station, and which undertook to represent the general feeling of the commercial body. It was the presentation of that petition that brought from their private concerns many of those whose names are appended to the petition which I have now the honour to lay before your Lordships—the petition of the merchants and traders of London, in which they humbly state—and the list of signatures gives fully good evidence they are correct—that they represent the general opinions of that class to which they belong. They begin by saying that—

"Though desirous to leave so important a measure to the deliberate wisdom of your Lordships, they think it right to state that the commercial and manufacturing interests having been for some time in a state of great activity and prosperity, they see no ground for asserting that this Bill is essential to their progressive prosperity. Your petitioners, on the contrary, regarding the vast extension of commercial enterprise for many years past, and which seems to be continually going forward, do not believe that the Bill in question is essential to the continuous activity of that commercial interest. Your petitioners humbly believe that this is an experiment on a vital branch of our national interests, involving consequences the magnitude of which it is impossible to foresee, and calling for your Lordships' deep and anxious consideration."

I told your Lordships that they did not pray you to reject this Bill; but these parties come forward to protest against its being supposed to be the general feeling of the citizens of London, or of the mercantile and commercial classes there, that this Bill was essential or even necessary to the prosperity of the commercial interest. And they go further; not desiring to interfere with the deliberate exercise of your Lordships' judgment, they yet beg of you to bear in mind the immense and unforeseen consequences involved in this measure, and not hastily to adopt a great and hazardous experiment. I admit that the relative value of the two petitions depends on the signatures appended to each. I shall enumerate some of the names appended to this petition. There is the chairman and deputy chairman of Lloyd's; the chairman and deputy chairman of the Dock Company; a considerable number of Bank Directors—six, I believe; there is a large number of bankers too; there are the names of Abel Smith and Co., of Curtis and Brown, of Spooner, Attwood, and Co.; of Bevan and Tritton, of Hanbury and Co., of Muspratt and Co.; of merchants there are Baring Brothers, and Huth and Co., without dispute the largest general merchants in the city; of shipowners there are the names of Tyndal and Somes, the largest in the trade; of shipbuilders there are Curling, Young, and Co.; there are thirteen of the principal names engaged in the corn trade, many of the principal houses engaged in the silk trade, several of the principal houses engaged in the iron trade, all the leading houses, without an exception, of those engaged in the Canadian and Australian trade, and many of the principal houses engaged in trade with the other Colonies. My Lords, such is the authority of the names appended to this petition (and they are open, of course, to your Lordships for inspection), who, not desiring to interfere with your deliberate

judgment, pray you not to believe that this Bill is universally called for by the mercantile and manufacturing classes of the city of London; and stating that the feelings and sentiments of those interests have been misrepresented to your Lordships in laying the petition on the Table. I have to express my earnest hope that you will adopt the advice they have tendered respectfully, and consider deliberately the vast experiment you are about to make; and that if you are determined (as I fear you are) to make an alteration in the existing law, you will not only accompany it with due deliberation in your counsels, but that this great experiment will be conducted with a due degree of caution in practically applying the principles of their legislation.

The EARL of DALHOUSIE had the honour some time ago to present to their Lordships a petition from merchants, bankers, and traders of the city of London. He was not aware that his noble Friend (Lord Stanley) intended to present the petition he had now done, or he might have been prepared with an analysis, showing the amount of respectability, influence, and wealth, attachable to the petition he had presented, so as to form a set-off to the petition which his noble Friend had now brought forward. He had no intention to diminish in the slightest degree the authority, or to detract from the weight of that petition; and perhaps he would not have troubled their Lordships but for one or two expressions which had dropped from his noble Friend. One of these expressions was, that the petition which was formerly presented purported to represent the general sentiments of the city of London; and the other was, that those who signed the present petition objected to it as a misrepresentation of the sentiments of the mercantile community. Now, what he wished to press upon their Lordships' attention was, that the petition he presented did not profess to be anything but what it distinctly was; nor did the observations with which he had accompanied it state that it was more than the petition of merchants, bankers, and traders of the city of London. It did not profess to be the petition of the city of London, but of certain merchants, bankers, and traders in it. He would say, therefore, let the petitions be judged by their relative merits and numbers; but let it not be supposed that the first petition came before their Lordships under false appearances. He had had no opportunity of instituting a comparison between the two petitions; but since the noble Lord had drawn their attention to the signatures attached to his petition, he (the Earl of Dalhousie) begged to state, that to the petition which he had the honour to present, there were the signatures of twenty-four or twenty-six bankers, instead of six or seven, as in the case of the petition now brought forward by the noble Lord. There were attached the names of 267 merchants and others; but, as he said before, he was not in a condition to institute a comparison between the two. If, however, anything was to depend on this, he asked their Lordships to place them side by side; and he was not afraid of the comparison, whether with respect to wealth, knowledge, or respectability.

LORD STANLEY had nothing further from his view than to impute to his noble Friend anything like misrepresentation. But it would be recollected that a few nights ago, when it was stated that the petition which the noble Earl had presented did not express the sentiments of the city of London, it was asked on the other side, why there was no counter petition. In these circumstances the present petition must have been deemed necessary. He accepted his noble Friend's challenge as to a comparison. He had been authorized to state to their Lordships, that if they compared the signatures of the two petitions, they would find that those attached to the one presented by him represented more than threefold the amount of business transacted by those who had signed the petition of his noble Friend.

EARL GREY, upon examining the petition presented by the noble Lord (Lord Stanley), found that, as originally drawn up, it contained the following passage:—"So little ground is there in their view for saying that it is necessary these measures should be passed with the least possible delay." But it appeared this passage was thought too strong, and the pen had been drawn through it. On erasing these words, it was implied that the opinion of the petitioners was, that the measures ought to pass with the least possible delay. The petition did not venture to ask their Lordships to reject the Bill, but talked of it as an experiment which ought to be decided one way or other. This, which was represented as a counter petition to one, numerously signed, and praying their Lordships to pass the measure, had not asked them to reject the measure,

and its promoters had struck out a passage in which it was represented that there was no danger in delay.

LORD ASHBURTON observed, that there could be no doubt, if their Lordships were prepared to pass this measure, they ought to do so without delay. Such was the whole meaning of the passage referred to by the noble Earl as having been expunged, and he thought so too.

LORD BROUGHAM said, the whole object of the petitioners seemed to be to show their Lordships, that they did not agree with the sentiments contained in the petition presented by the noble Earl (Earl Dalhousie). They did not, however, ask their Lordships to reject the Bill, and all that could be drawn from it was, that there was no unanimity in the mercantile body of London on the subject. In the time of the Income Tax, in 1816, there was a public meeting at the Egyptian-hall, and that would, of course, speak the sense of the city; but that could not be said of either of these petitions. But, at all events, none of the petitioners were for unnecessary delay; they all felt, that if the Bill was to pass, the sooner it did so the better. Now, any Amendment that night in Committee would cause a delay of months. There could, moreover, be no greater mistake than to suppose that the mercantile interests were banded against the agricultural interests of the country; they might differ upon the Corn Laws, but generally speaking the former were for supporting the latter.

Petition read and ordered to lie on the Table.

CORN IMPORTATION BILL—EXPLANATION.

The BISHOP of ST. DAVID'S said, he was sure their Lordships would not be indisposed to listen to the few words he was about to address to them, which had at least as much to say to the question before the House, as the remarks they had just heard, when they knew that what he had to say tended to correct a mistake affecting the personal character of a Member of their Lordships' House. He had not been present at the time the speech was delivered by the noble Lord (Lord Stanley), and he deeply regretted the fact; but he understood that the noble Lord had done him the honour to advert to one or two points of his speech, in which he had been misinformed as to the facts as far as regarded himself (the Bishop of St. David's). He understood that the noble Lord had been pleased to refer their Lordships to the distinction existing between the sources from which certain of the right rev. Prelates on the benches of that House drew their incomes, and those from whence the incomes of the parochial Clergy were derived. He was aware that his noble Friend had not intended, and most probably had disclaimed the design, to make any invidious construction on the effect of that distinction; but as he believed the noble Lord had also stated that it was a fact likely to make a great impression on the country, he thought their Lordships would admit that he (the Bishop of St. David's) was entitled to say, that the fact on which the noble Lord relied was erroneous. Speaking for himself, he wished to inform their Lordships, as well as the public, that of his own public income very little more than one-third was derived from fixed payments, and that very little less than two-thirds was subject to reduction for depreciation of agricultural produce or for other causes, exactly in the same proportion as the incomes of the parochial Clergy. He did not mean to extend his assertion on this point beyond his own case; but their Lordships would, he was sure, give him some credit for being sufficiently well informed as to his own affairs.

LORD STANLEY would have been glad, had the right rev. Prelate, before he had thought proper to advert to what had fallen from him on a previous night, informed him beforehand of his intention. He (Lord Stanley) had not the least idea that he would have been called upon for an explanation of what he had really stated; but it was in their Lordships' recollection and he recollected it, that he expressly said, he would state nothing personally offensive to the right rev. Prelate, and that he would say nothing of him in his absence which he would not say in his presence. But their Lordships would recollect that the right reverend Prelate had addressed them on the subject of motives, and that he had used those extraordinary words, as nearly as he (Lord Stanley) could remember, "That their Lordships might be fully conscious of the purity of their own intentions; but they must recollect that a very different view of this great question would be entertained throughout the country, and that a very different construction would be put on their conduct." In commenting on that observation of the right reverend Prelate, not supposing it possible

that he could have intended anything offensive to their Lordships, he had made use of words to the effect, that he was confident the right rev. Prelate was as little influenced by any motive of private consideration as he had given their Lordships credit for being, but that the public were free to draw the same inference with respect to him and his motives, as he had thought fit to draw with respect to the personal motives of their Lordships. If there were anything personally offensive in what had passed, it had fallen from the right rev. Prelate, and not from him; because his (Lord Stanley's) assertions, with respect to the operation of motives, went as far as the right rev. Prelate's conviction of their Lordships' purity of intentions. The statement he made, which might not have been correctly repeated to the right rev. Prelate, had been this—and he hoped he would forgive him for repeating it—that there was a wide distinction between the sources from which the right reverend Bench and the parochial Clergy derived their incomes; that the latter were wholly and exclusively dependent on corn for their income; that as the value of that article feel, so their income would be depreciated, and they would inevitably be losers by the measure, unless all other commodities fell in proportion; and he had proved that would not be case. By the confession—no, not confession—he would not apply that word to the speech of the right rev. Prelate—but by his own statement, their Lordships were informed that two-thirds of his income depended on the price of corn; but as regarded one-third of it, he was not only protected from reduction, but received a fixed money payment for it. He then took the liberty of showing that all who received a fixed money payment were gainers by this measure, and that was all he had said. He hoped this explanation would be satisfactory to the right rev. Prelate. He had not thought he should have been called upon to make it, and should have gladly explained what he did say, if the right rev. Prelate had asked him to do so in private. He disclaimed all motives, or the imputation of them, and had only pointed out the distinction between the sources of the revenues of the parochial Clergy, and the right reverend Bench, which was admitted by the right rev. Prelate to exist.

The BISHOP of SALISBURY said, that the distinction had certainly been stated in a manner which would appear somewhat invidious, and that effect had been augmented by repetition in other places in a manner still more invidious. He was almost ashamed to trouble their Lordships with a defence against imputations—not intended, it was said—but certainly calculated to exercise an injurious effect, as regarded Members of their Lordships' body, on the public mind. He would, therefore, without troubling their Lordships at any length, state how the case really stood. Out of the twenty-six Members of the right reverend Bench in their Lordships' House, fourteen were altogether free from being placed, in the least degree, in the circumstances which had been stated by the right rev. Prelate, and received no portion of their incomes in payment from the Ecclesiastical Commissioners. Those Members of the right rev. Bench derived their incomes in the same way as the landed proprietary did, the only difference being, that they derived a larger proportion from the impropriate tithes, which were more likely to be affected by this Bill, than in any other way. It certainly seemed severe that the Clergy should suffer by the Bill; and its bearing on their case presented an obstacle to him in the way of the vote he had given on behalf of the Bill. The liability of the parochial Clergy to be affected by it certainly did appear to him an argument against the Bill. He did not, however, regret the appeal which had been made to the right rev. Bench, for he believed they were justly looked upon as the guardians of the Clergy in that House. Nevertheless, he thought the injustice which had been done to that body was not so much attributable to that Bill as to the Tithe Commutation Act. Differing, as he did, in opinion on that subject from many of his Friends, he had always held, and repeatedly expressed it, and he believed, that by it parochial Clergy were deprived of the prospect of any increase of value to be derived from improvement in agriculture. Of the other Members of the right reverend Bench four were in the position of paying fixed charges to the Ecclesiastical Commissioners out of uncertain incomes—the gross amount of their revenue being liable to fluctuation from the operation of this Bill, or of any other measure affecting the price of corn. Of those four right rev. Prelates, three had recorded their votes in favour of the Bill. Thus two-thirds of the right reverend Bench were altogether removed from the possibility of their being under

any imputation as regarded the motives for their votes. One-third of his right rev. Brethren were under the suspicion of receiving fixed payments. But had none of their Lordships any fixed incomes? Had none of their Lordships funded property not liable to be affected by the operations of this Bill? He claimed no exception for his right rev. Brethren from any charges which could with truth be brought against them; but from their position and character, no persons should be more exempt from charges without proper foundation. He thought he had demonstrated that this charge, which it had been intended to apply to them, though it had been brought forward in somewhat an invidious manner elsewhere, was totally without foundation.

The EARL of MALMESBURY said, it must be admitted that above all men the right rev. Prelates ought to be most feelingly susceptible as to any charge which might touch their character and high position; and feeling that he might have excited in some degree the great susceptibility they had shown in this measure, he would beg leave to say a few words on the subject. He must say that the susceptible feeling the right rev. Prelates showed had been somewhat slow in its approach. He had spoken on the second night of the second reading, humbly delivering his opinions as he had a right to do. He seldom troubled their Lordships, that having been, he believed, the second or third time he had troubled them; but it was a long time ago, and he had been in the House several nights since, when no notice was taken of it. Not one word had been said of his remarks until last Friday, when they had been commented on by the right rev. Prelate. He thought it needless to assure their Lordships there was not a Peer in that House who would more unwillingly offer a word to them which could possibly look like an imputation on the right rev. Prelate. He stated that they stood in that position with regard to the parochial Clergy, that it was a part of some difficulty for the right rev. Bench to interfere on the present occasion, and that the people might possibly misconceive their motives in doing so; nor had he alluded to the right rev. Prelates in any other sense. He utterly denied that any other wish had entered into his heart than to do them justice; and he acquitted them entirely of being actuated by any unworthy motives. But he had been called to task by the right rev. Prelate, who had made a most able and eloquent speech, for having taken the liberty of addressing himself to that right rev. Bench. He was not accustomed to take liberties, nor did he think he had taken any liberty in expressing himself as he had done. If out of that House the right rev. Prelate should ever condescend to give him (the Earl of Malmesbury) his spiritual advice, he would gladly admit and follow it; but in that House, in all temporal and in all political subjects, he should, in everything but ability and eloquence, consider himself and act as the Peer of the right rev. Prelate.

The BISHOP of ST. DAVID'S rose to explain. The only object he had in any observation he had addressed to their Lordships, was to remove the impression which might have been made within that House, and in the country at large.

The EARL of HARDWICKE wished to remind their Lordships that there had not been anything like personalities introduced into the debates, until certain right rev. Prelates had addressed the House for the first time. Those right rev. Prelates to whom he referred had not been ascustomed to take part in such proceedings, nor had they possessed any opportunity of seeing the manner in which many of their right rev. Brethren conducted themselves. Those right rev. Prelates never had ventured to impute motives to any of their Lordships in the discharge of their duties, and had set the House a bright example of dignified and becoming conduct. And he now gave the right rev. Prelates to whom he alluded his advice that they would take this example and warning, that it would not be very wise, as regarded themselves, for them in future to impute motives to any of their Lordships in reference to anything which might arise in their Lordships' House.

The BISHOP of OXFORD rose to address the House amid some confusion. He appealed to their Lordships' sense of justice to hear him for a few moments. It would be impossible for him to suffer the lecture which had been delivered to him—and he would add no epithet to that word, for he considered it would quite suffice to express his meaning—it would be impossible for him to suffer the lecture which the noble Lord had thought it proper and seeming to address to two right rev. Members of that body, who sat with him in that House as his Peers, without saying a few words in reply. He was in the recollection of the

House, when he appealed to all he had said; and he fearlessly challenged contradiction, when he asserted that he had imputed no motive to any noble Lord in the beginning of his speech, and had guarded against doing so. In the heat of argument, and in discussing what he believed to be a great national question, upon which, after the best and most earnest consideration he could bestow, he had come to a clear and decided opinion, he might have been led into a warmth of expression which he had not intended. If that had been the case, and if he had said anything offensive to any noble Lord, he was at once ready to admit it, and to apologize for having done so. But as to submitting to the imputation which had been so wantonly and improperly brought forward, that instead of confining himself to argument, he had imputed motives to their Lordships, he would not do so, and he rejected the charge altogether. It was a very easy thing for noble Lords to stand up in their places and make such charges as these, and to make charges of youth and inexperience; but was a man who for forty years had studied, and that not carelessly, books, men, and manners, to be declared incompetent to deliver his opinions, or to be taunted by the noble Lord with being a young man? Surely it were a greater shame for any reasonable being to be on the wrong side the question as an old man, than as a young man. But he was not very anxious to throw aside the censure of the noble Lord, by any desire to escape by the plea of great senility. He had confined himself to argument, which was, he believed, found to be troublesome; and it was far easier to give lectures on imputed arrogance, than to take the edge off argument which had been listened to and received. It had been said, too, that he had set the example of introducing acrimony and personal altercation into the debate; but he could appeal to the noble Duke, whether, when he had drawn his (the Bishop of Oxford's) attention to a slight slip, a wholly unpremeditated allusion which had risen to his lips in the moment of speaking, and with which he concluded the sentence, he had not at once retracted it. Now he did complain publicly of that pseudo lecture which had been delivered to him with such extraordinary gravity by that noble Lord, with whom he was in private on terms of friendship. He could not, however, suffer that noble Lord on the common ground of that House to assume the privilege of imputing to him assertions and motives which he could not prove.

The Earl of WINCHILSEA said, that having had the honour of a seat in their Lordships' House for many years, he could most confidently state, that if ever he had heard a lecture in his life, it certainly was contained in the speech of the right rev. Prelate in the last night of the debate. So strong a lecture he had never heard. Not only had he designated the speech and arguments of the noble Lord opposite (Lord Stanley), which, in point of eloquence and effect, had never been exceeded in that House, as a mere declamation—as "actual rottenness;" but he had the presumption to say that those of their Lordships who had stated, and stated honestly, that they were the friends of the labouring classes, had other motives for their conduct. He had hoped to have heard the right rev. Prelate prove that this was a landlord's question. Had he done so, he (Earl Winchilsea) would have doubted the motive by which he thought himself actuated. He would not occupy their Lordships' time any further than by saying that the right rev. Prelate knew but little of the agriculture of the country when he talked of improving it by introducing the competition of the foreign labourer, the labour of the serfs of Poland. He could conscientiously say that he deeply regretted the speech of the right rev. Prelate; and he thought that the noble Lord (Lord Stanley) who had spoken from the other side of the House, had given as perfect a description of that speech as could be imagined.

The Earl of GALLOWAY had heard the speech of the right rev. Prelate, and the animadversions which had been made upon it, and must express his deep sense of the injustice of the latter. During his speech the right rev. Prelate had been frequently subjected to the most unseeming interruptions; and it was a marvel to him that the right rev. Prelate should have been enabled with so much good temper to bear with those interruptions. There was sometimes something very sharp in the retorts of the right rev. Prelate; but there was nothing unparliamentary in the speech. He believed that the attacks launched to-night against the right rev. Prelate showed how deeply those who made them felt the truth of the remarks which had called them forth.

CORN IMPORTATION BILL—COMMITTEE.

House in Committee.

The preamble was agreed to.

On the Motion that the First Clause stand part of the Bill,

The DUKE of BUCKINGHAM rose to propose an Amendment of which he had given notice. He moved it, he stated, with the hope that he might be enabled to induce their Lordships to agree to the alteration of the First Clause. He was no party to the Bill; he thought it uncalled for and dangerous, and he wished to propose his Amendment simply with the view of doing what he possibly could to save some remnant of protection to the agricultural interest. By the Bill as it stood it was proposed that after the 1st of February 1849, the duties to be enacted in the schedule should cease, except that a nominal duty of only 1*s.* per quarter should be levied upon the import of wheat, oats, and barley. His object was to continue some degree of protection by proposing to leave out the date of February 1849, and to continue the sentence with the schedule which their Lordships would find in the fourth page of the Bill, and which provided to the landed interest an amount of protection to the extent of 10*s.* when the price of wheat fell to 48*s.* per quarter. If their Lordships agreed to his proposition, the effect would be that the farmers, after February, 1849, instead of finding themselves protected by a nominal duty of only 1*s.*, would be still able to rely upon a protective duty to the extent of 10*s.* per quarter. He repeated that he was no party to the Bill; nor would he in the slightest degree sanction it; but he suggested this course as the best which, under the circumstances of the case, now could be adopted for the agricultural interest. As he saw around him many noble Lords who had taken active parts at agricultural meetings and protection societies in holding out expectations to the farmers that by their exertions they would be able to maintain protection, he hoped and trusted that on this occasion noble Lords who were in that position would go along with him and give him their support. Many of their Lordships too had stated their preference for a fixed duty: they were therefore to that extent protectionists, and he claimed their votes as well as those of the advocates of the sliding-scale. As they were now arrived at a point which was finally to determine whether or not they would grant any degree of protection at all to the agriculturist, he hoped that they would pause before entirely overthrowing the hopes of the farmer. He had repeatedly stated his objections to this measure, which he thought unnecessary, uncalled for, and fraught with danger to every class of the community. They had now an opportunity of materially altering, and, as he believed, amending it, without interfering with the vote which they had given for its second reading, and of aiding him in reserving some shadow of protection to the agricultural interest. If they passed this Bill as it at present stood, they would, many of them, he was sure, in the course of a few years, or even sooner, regret the step which they had taken, and the vote which they had given. He implored their Lordships to set aside all party feeling in dealing with this question. Let them not look to those in office or those who were to come into office. Let them not record a vote to prop up an Administration, at the risk of injuring the great interests confided to their charge; but let their Lordships boldly come forward, and honestly and conscientiously record their opinions. Depend upon it, whatever the result might be, they would always have the satisfaction of reflecting that they had acted with clean hands and consciences, according to their views of what was best suited to promote the interests of the country at large. For himself, he threw aside all private feeling and individual friendship, humbly endeavouring as he did to discharge his duty to the best of his ability; and he would sincerely say that he had never given a vote more honestly and conscientiously than that which he should record in favour of the Amendment which he now begged to propose to the House.

The Question having been put,

The EARL of RIPON stated that he felt it to be his duty to object to the Amendment. While he did so, however, he must state that he was not at all disposed to impute to his noble Friend that in bringing forward his Amendment he had in any degree compromised his principles upon the subject. As their Lordships had affirmed the principle of the Bill by giving it a second reading, the noble Duke was fully entitled to propose any alterations which in his opinion might tend to mitigate the evils he apprehended from the operation of its general principle, and to render it more compatible with the welfare of those interests upon which he thought it would have an injurious effect. He (the Earl of Ripon) would take this opportunity of saying a word as to some observations which fell from a noble Lord behind him the other night. That noble Lord said, with reference to this particular part of the measure,

that he could not conceive what had induced Her Majesty's Government to adopt a modified sliding-scale for a period of three years, except for the purpose of effecting a species of compromise, and in order to satisfy those who might have been expected to object most strongly to the introduction of this Bill. Now, he begged to say most positively and distinctly that this provision was not introduced with any such notion. He would not have been a party to any attempt at such a miserable compromise; but, on public consideration entirely, he did give his conscientious support to this provision of the Bill. The reason for the introduction of that clause was this—as a very great change was about to be made, it appeared to the Government advisable that there should be some gradation in the process of effecting that change. Some persons might be of opinion that if a great change was to be effected with regard to an important interest, the more expeditiously it was carried out the better; while others might consider that it was necessary a certain time should be permitted to elapse before such a change came into full effect. In dealing with questions of this nature, Parliament had repeatedly acted on both these principles; and he certainly thought, with reference to this particular measure, that it was most advisable some time should be allowed to elapse before it was brought into full operation. The sole motive for the introduction of this provision was a desire to mitigate those evils which were likely to arise from the greatness of thechange in contemplation; and on this ground he adhered to it. It appeared to him that his noble Friend's Amendment was of much greater importance with regard to this Bill than the noble Duke seemed to suppose. He (the Earl of Ripon) would not allude to any circumstances which might hereafter arise if this Amendment should be carried; but he begged to say that the Amendment did, in point of fact, involve an entire alteration of the principle of the Bill, for it professed to give permanency to that protection which it was the object of the Bill, after a limited time, to remove. Those, therefore, who approved the end and object of this Bill, certainly could not consent to an alteration which would defeat that end, and prevent the measure from effecting those purposes for which it was introduced. For his own part, he (the Earl of Ripon) could not support this proposition; and he did not see how any noble Lord who had voted for the second reading of the Bill could support the Amendment of the noble Duke. But the Amendment was objectionable even as regarded the object of his noble Friend. The noble Duke himself did not appear to attach any great importance to it. His noble Friend had said that his object was to preserve a remnant of protection; but he (the Earl of Ripon) could not think that it was desirable to preserve a remnant of protection, for it had been contended that the remnant was not worth having. From the arguments used over and over again by the opponents of this Bill, he presumed that such a degree of protection as was established by this clause would be most inefficient, and could only serve eventually to occasion severe and unmitigated disappointment. If the agriculturists were to have protection, they ought to have an efficient protection; but it appeared to him, that to propose to establish in perpetuity the protection given under this clause, was to tender to the agriculturists what really was not worth their acceptance. What security could his noble Friend have that that protection would be maintained? What ground was there for supposing that any plan like that proposed by the noble Duke could be regarded as a permanent measure? What advantage, then, were the agriculturists to derive from the adoption of his noble Friend's proposition? He (the Earl of Ripon) would not now enter into the general question. He would only say that he considered, if the noble Duke's proposition was adopted, it would only delude and disappoint the agriculturists; and he thought their Lordships would be very ill advised if they assented to the alteration proposed by his noble Friend.

The Earl of CLANCARTY: My Lords, as the Amendment moved by the noble Duke has raised the whole question of the principle of the Bill, I trust I may be permitted to take this opportunity of offering to your Lordships a few observations upon it, which I am the more anxious to do from the very important bearing—I fear very injurious effect—it is likely to exercise upon the progress of agricultural improvement in Ireland. I can assure your Lordships, and especially noble Lords connected with Her Majesty's Government, that in considering this question, and in attending to the arguments that have been offered on either side in the course of the discussions that have taken place, I have done so with an anxious desire to give my

support to the measure. To myself, as to most of your Lordships, the question of free trade, and especially of a free trade in corn, was a new one; it has never till now been seriously discussed in this assembly; and so far was it formerly from finding favour with your Lordships, that, not many years ago, the noble Viscount opposite (Viscount Melbourne), then at the head of Her Majesty's Government, characterized the repeal of the Corn Laws as an act of insanity. I, therefore, had no greater prejudice to overcome than many of those noble Lords, who, formerly divided only as to the mode of giving protection, are now in favour of free trade. If, my Lords, I had any prejudice in the matter, I can truly say that it inclined me to look with favour upon the quarter from whence this measure has been proposed; for, however disappointed and deceived I have felt by the policy of the Government towards Ireland —a policy, the weakness, inconsistency, and ill success of which cannot be better illustrated than by the necessity that has resulted from it for the enactment of a Bill for the protection of life called the Coercion Bill—I yet cannot forget, nor will the country forget, that it was by the talents and energies of Sir Robert Peel's Cabinet that the finances and commerce of the country have been raised to their present prosperous condition from the slough of despond in which they were left by the Government who quitted office in 1841. But, my Lords, when I examine the character of the policy which has produced the good results we see around us, I find that it has been essentially the policy of protection—of protection to native industry generally—but, above all, protection to the corn grower. Not, indeed, a high protection, which would operate to the prejudice of the community, for the benefit of a class, but a protection as low in amount as would consist with the due encouragement of agricultural industry. Such was the sound principle upon which protection was afforded by the Act of 1842 and subsequent Acts; a policy most ably stated and defended by the noble Lord the late Secretary for the Colonies in his unanswered, though not unassailed, but unanswered because unanswerable, speech on the second reading of this Bill. I shall not, my Lords, trouble your Lordships by entering into a general discussion of the Bill; but I must be permitted to notice an argument which appears to have had great weight with many noble Lords who are in favour of the measure, I mean what is called "the force of circumstances." Happily it is not here as elsewhere that the agitation of the Anti-Corn-Law League can have any influence. Could any pressure from without induce your Lordships to forego the consideration due to important measures, you very soon would lose the confidence and respect of the community, which now is, as it ever will be, your best support. The argument which has operated so strongly with many of your Lordships is the rapid increase of the population; an increase proceeding in geometrical rather than in arithmetical progression, and occasioning the necessity for a proportionate increase in the supply of food. My Lords, I most fully admit, that it is a duty of the first magnitude to provide that the population should have food cheap and in abundance; but it appears to me that the argument cuts directly against the present measure — against the abandonment by the State of the duty of regulating the supply of the food imported from foreign countries. It is true there are restrictions upon the import of corn, but they operate only to prevent a glut in the market; they cease to operate when their operation would be injurious. But whether you maintain the sliding-scale or adopt a fixed duty protection, in either case you stand upon a vantage ground to treat with foreign nations for the supply of food should the necessity arise for doing so; but if you remove all restrictions, and throw open the trade to foreign nations, what security have you, when you become dependent upon them for the supply, that they will not impose duties that will raise the price of bread much higher than it has ever been made by duties paid into the British Exchequer. The argument is not a new one, but it is one which has never been answered satisfactorily; and until it is so, it appears to me perfectly conclusive against the Bill. I beg, my Lords, shortly to advert to another argument which has been brought in favour of this measure, considered as part of a general system of free trade. Notwithstanding the admission in Mr. Gladstone's despatch to the Governor General of Canada, that "Her Majesty's Government have on several occasions endeavoured to make arrangements with Foreign Powers for the mutual relaxation of tariffs — but almost uniformly with ill success," we are told that our free trade must be successful. How? Through our own free agency

alone. I confess, my Lords, that I never understood what this meant until the debate on the second reading in this House, when it was explained by a noble Earl opposite (Earl Clarendon), once distinguished as a displomatist, to mean, that our manufacturers could, with the aid of the smuggler, be enabled to defeat the commercial restrictions of foreign nations, and to find a market for English goods in every country in the world. Such a doctrine I certainly did not expect to hear in this House, and still less propounded from the lips of a diplomatist, at the same time professing his preference of such a trade to one dependent upon Treaties. I cannot think, my Lords, that if our commerce is to be extended by means of a contraband trade, it will be either respectable or conducive to the interests and security of those engaged in it: nor does it carry with it much promise of a cordial relation with the Governments of foreign countries. I have always looked upon the smuggler much in the same light as the illicit distiller or the poacher. Offences against the customs, the excise, and the game laws, are, indeed, only offences in the eye of the iaw; but though only *mala prohibita*, they commonly lead to offences which are *mala in se*. If, therefore, I have felt surprise at the doctrine of a contraband trade being advocated in your Lordships' House, how much greater was my surprise at finding it not merely acquiesced in, but sanctioned, by a large majority of the votes of the right rev. Bench, who have manifested so great and unusual an interest in this question. The right rev. Prelate (the Bishop of Oxford) who spoke last on Friday night, and charmed the House with the eloquence of his declamation, challenged your Lordships to appeal to the Bench, not upon the paltry interests of a class, but upon questions of morality and religion. I accept the challenge of the right rev. Prelate; and I put it to the Bench whether it can consist with the interests of morality and religion for the Parliament to connive at and encourage a smuggling trade—whether it would not better consist with the Christian character of British subjects, in whatever countries they carry on the business of trade, that they should be mindful to "render unto Cæsar the things that are Cæsar's," and "render to all their dues—tribute to whom tribute, and custom to whom custom is due;" but it seems that in the train of evils to arise from free trade, there is to be the violation of precepts having a much higher sanction than any your Lordships could confer. And now, my Lords, one word upon Ireland. Soon after the policy of Her Majesty's Government was announced, I heard the remark made by a gentlemen well acquainted with the circumstances of Ireland, that "the Irish landlords will be either very ignorant or very good-natured if they consent to a repeal of the Corn Laws." The observation, my Lords, appears to me to apply just as appropriately to Parliament as to the landlord class; for, happily, they are perfectly identified in interest with the whole of the community. But so far as the peculiar interests of the Irish landlords are concerned, I will take it upon me to say, notwithstanding the aspersions that have been cast upon that class to which I have the honour of belonging, that if a sacrifice were necessary for the general good, they would be as ready to make it as would the landlords of England, and much more so than those whose property is not in land; for among landlords there is a feeling of responsibility which does not in the same degree attach to the fundholder or the manufacturer. It is not, however, upon the landlords, but upon the occupiers and cultivators of the soil, that would fall, in the first instance, the consequence of this impolitic measure. And I will show your Lordships how that is: The rents of the proprietary in general are moderate, regulated at what, one year with another, the land is well able to yield, after remunerating the labour of the farmer. Thus it is that in 1835, when the prices were very low, I believe lower than it is contemplated they will be under the operation of free trade, the rents were fully sustained. Now who, my Lords, were the losers by the low prices? The farmers, and only the farmers. Again, my Lords, let me show you how it will bear against the cultivators of the soil. There has sprung up of late an active spirit of agricultural improvement in many parts of Ireland. Wastes which were formerly almost worthless, or yielded a very small rent for the coarse pasture they afforded, have been improved and brought under cultivation; in confidence, no doubt, that the improving tenant would be permitted by his landlord to reap the fruits of his labour and enterprise, but in confidence, also, that the Corn Laws would be maintained. Now, the landlords have performed their part: the benefit of these improvements, where they have been made at the tenant's expense, has been left in

the hands of the tenants. The rents have not advanced with the increased productiveness of the land; but if you pass a law by which the price of the agricultural produce is to be lowered, the injury to the improving tenant is the same: the check, the discouragement to future improvement is the same as if the landlord had raised his rent. Thus, my Lords, it is upon the occupiers of the soil that, in the first instance, will be inflicted a loss and an injury by your proposed legislation. Circumstanced as properties in general are in Ireland, it is not easy to bring about new arrangements between landlords and tenants; and the necessity must first become very palpable before the proprietor can consent to a sacrifice of income. Then, my Lords, look at the political consequences of this measure. If its tendency is to make this country dependent, it is to make Ireland politically independent. The peculiar privilege of free trade in the markets of this country enjoyed by Ireland, as a consequence of the Union between the two countries, was noticed by the noble Lord opposite (Lord Monteagle), in his admirable speech in 1834 in defence of the Union, as the greatest among the benefits Ireland owed to that great event. The noble Lord, then a Member of the House of Commons, commenting upon Mr. O'Connell's speech, said—

"Does the learned Member recollect the passing of the 46th Geo. III. c. 46, which has given to Ireland a free trade in corn? Was not that a concession favourable to Irish interests? Do hon. Gentlemen venture to disregard the consequences to Irish agricultural industry of the free intercourse in corn between Ireland and England? . . If they think that an unrestricted intercourse with the best and richest market for agricultural produce in the world is of no advantage to Ireland, there cannot be any argument urged that will influence their opinion. . . . I may therefore point out the free trade in corn with England as one of the most must substantial advantages which Ireland has derived from the Imperial Parliament—an advantage not confined to the rich or powerful, but creating a new demand for labour, and thus improving the condition of every cottager in Ireland. This I make my first point."

Now, my Lords, by this Bill Ireland will cease to be indebted to the Union for her free trade in the English markets. Her peculiar privilege will be lost, and she will have no greater advantages in the English corn trade than any foreign country. Attaching, as I do, great value to the Union, which, well cemented, I believe would be greatly for the advantage of both countries, I cannot but lament that anything should be done to weaken it. Much injury has been done by the free trade in religion; the sympathies of the two countries are not what they were. I warn your Lordships that these experiments in legislation may prove most detrimental to the best interests of the Empire. I believe, my Lords, that the interests of all classes are united in the maintenance of a moderate and well regulated system of protective duties. And, feeling this to be the case, I shall give my cordial support to the Amendment moved by the noble Duke.

EARL STANHOPE supported the Amendment, and stated that previously to affording his reasons for this support, he wished to say a few words on what had fallen from a noble Lord who had addressed the House upon the subject of the Bill. The real principle of the Bill was to be found in its preamble, that it was "expedient to alter the laws relative to the duties on corn." In that view he fully concurred—that was, in that principle of the Bill as contained in the preamble—though he was opposed to the change involved by the Bill now before them. But if the principle of the Bill was contained in the preamble, it appeared a monstrous absurdity, that the Bill should exhibit in one place the necessity for a free trade, and in another effectually negative the principle by a limitation. The most arrogant statements had been used with respect to the operation of the Bill. The condition of the country at a future period had been given, and statements made of the position of things, which could be seen by no man not possessing the gift of prophecy. No man could predict the condition of this country three years hence. An event, for instance, might happen, which all might hope was far, very far distant—an event which would plunge this nation into a condition of confusion, anarchy, and war. No man could affect to see the position in which the commercial and financial interests of this country would be placed at the expiration of any limited period. How then could legislation touch the matter? The country should have judged on the change, the Ministry should have made an appeal to the country; though this appeal they had not dared to make, because well aware of what that appeal would produce upon an oppressed, an outraged, and an indignant people. No change of the character proposed should be made, but under the deliberation of a Parliament called for that purpose. Under such an appeal, no base sycophants would probably have been

found—sycophants who have crept like filthy reptiles towards their own purposes; under such an appeal, no such creatures as these would have been found, for they would have retired to their own native obscurity. He could never forget the emphatic declaration of the noble Viscount lately at the head of Her Majesty's Government, that the repeal of the Corn Laws was the wildest and the maddest project that had ever entered into the brain of man. He thought that the noble Viscount, in justice to himself, in justice to the country, which might otherwise form an injurious opinion of his character, ought to be ready—whether he was able or not was a different question—to explain how it was, that without having recanted his opinion, without any change of circumstances, he should, a few evenings ago, have voted for the second reading of this Bill. He did not undervalue small minorities—it had often been his fortune to vote in small minorities himself—but when some noble Lords opposite boasted that they had formerly been in small minorities upon this question, and that they had now become the majority, he must say that had that been his case, however agreeably he might have been surprised by the change, and whatever the advantages might have been, still he would call upon them, in justice to themselves and to the country, to vindicate their conduct. He had heard several noble Lords, whose memories now appeared to be steeped in oblivion, speak strongly in favour of protection; and, indeed, a very short time ago the principle of protection was unanimously maintained on this side of the House, and all but unanimously on the other; but whatever influences might have been at work to convert them, he could not suppose that they had turned round with the same facility and complaisance as was shown by nine Members of the Cabinet, who after they had resigned office because they disapproved of this measure of the great dictator that sat in the Cabinet, a very few days after resumed office again, prepared to carry through the very measure which they had before disapproved of. This was a digression which he had been unavoidably led into, because one reason which induced him to vote for the Amendment of his noble Friend was, that it asserted the principle of protection. But at the same time he entreated their Lordships not to misunderstand him, or to suppose that he had departed at all from the principles which he formerly maintained, as if he now thought that the present amount of protection was too much. On the contrary, he thought, that putting aside the principle of protection which was thus asserted in the Amendment, the amount of protection it proposed was ludicrously inefficient; but the whole Bill to which this was an Amendment was fraught with so much injustice to the agriculturist, that the Amendment would be better than its passing; indeed, rather than have this Bill, he would infinitely have preferred a total, immediate, and entire abolition of all protective duties. One of the remarks of Her Majesty's Ministers—who, as Milton said of kings, were strong in legions though weak in argument—was, that this measure was the necessary consequence of the measure of 1842; and that those who disapproved of the present Bill ought to have voted against that measure. This did not apply to him, who had voted against the measure of 1842; but it argued as if Ministers had then abandoned the outworks, that they might now be able to give up the citadel. In conclusion, he begged, that in justice to himself it would be distinctly understood, that in voting with the noble Duke, he did not pledge himself to adhere to this modification of the sliding-scale or any other; he wished to keep himself, as he had ever been, and, as long as he had life, should remain, free and unfettered to support any other Amendment that might be proposed in the Corn Laws, without being restricted to an Amendment like this, which could not, and ought not to be, a final measure.

Lord BEAUMONT was anxious to state his reasons for voting for this Amendment, lest his conduct might be construed into an unqualified support of a system which would, in his opinion, be absurd, if considered as a measure of efficient protection. The House had already decided the question of protection, and he did not intend to revive it; still he thought that those who thought with him ought to take this one more opportunity of recording their opinions against the Government measure. But besides that, he supported the Amendment because he thought they were wrong in abandoning after three years all duties on corn, and thus surrendering entirely one main source of their revenue. Another reason was, because he believed, contrary to the opinion of the noble Earl (Earl of Ripon), that instead of this delay of three years being of advantage to the farmer, it would be of very serious injury to him.

His third and perhaps his strongest reason was this, that he thought they had no right whatever to legislate this year for another Parliament, which would sit before the measure of their legislation would come into operation; they had no right to act upon a principle which they dared not act upon immediately, but which they were seeking to saddle upon others that were to follow them. What did they know of the probable position of this country three years hence? Might not some other party soon hold the seals of office? And what right had they to legislate for any future Ministry? Again, every argument in favour of the present measure was founded on the present position of affairs — some peculiar to this year, some peculiar to the state of Europe; and not one of which might be in existence in three years' time, when the Bill was to come into operation. Nay, the very contrary state of things might be in existence then, for all that they knew; and yet the House was called on to legislate in the dark for a future and distant period. Some maintained that they were only now arrived at that state of things when they must adopt the principles of free trade? If they were right then, why not carry out their principle, and adopt free trade at once? But instead of that they damned their own opinions by their own acts, and gave the lie to their warm professions in favour of free trade, by deferring it for three years. The proceeding certainly did not savour much of courage on the part of the Ministers, or they would at once have adopted the broad principle of free trade. If he was not afraid of using offensive language, he would say that it was a sneaking way of carrying out their principle. Then, with regard to the second argument he had used, namely, that instead of a benefit, the delay of three years was an injury done to the farmer; what was the operation of this Bill? It announced to the whole corn-growing countries of Europe, that at the termination of three years they might introduce corn into this country duty free. Now, there was no country at present which had much surplus produce to send; but three years was exactly the time to allow foreigners to bring their soil into a proper cultivation for wheat, and thus enable them, without difficulty, to glut our markets. The expectation of a new market would induce foreign speculators to hold back a large quantity of corn for the termination of the three years, and then pour it into this country all at once; causing thereby a general derangement of our trade, both abroad and in the corn market at home. If we had adopted free trade at once, perhaps next year the demand would have been greater than the supply; and thus, by raising the prices abroad, foreign countries suffering under the rise of price would have called on their Governments for some further restriction on exportation; or, at any rate, the speculators would not have been able to inundate this country with the same quantity of cheap corn as they will probably collect for the expiration of the three years. Then, again, they allowed a man whose covenants with his landlord were not properly considered, time to exhaust his land, either with the intention of leaving his farm, or under the idea that the land must, of necessity, be thrown into pasture. Again, what did they do in another respect by fixing on the exact period of three years? As their Lordships were aware, "the four-course system" was the common one in England. Well, the effect of the present measure would be, that everybody would try and make such arrangements as to avoid having wheat sown in the winter preceding the year of free trade. And what would be the consequence? Why, that in that year there would scarcely be any wheat the produce of this country. They would endanger the whole order of cultivation, and instead of having, as at present, one quarter of the land growing wheat, another quarter oats or barley, and the rest green crops, seeds, or turnips, we should have one year all wheat, another year all barley, and so on with everything else. Instead of the present regular quantity of land in white crops, we should have a large breadth in one year, and a very small in another, owing to the derangement in the rotation of cropping, caused by the unfortunate selection of three years as the advent of free trade. Whoever framed this Bill was, he maintained, profoundly ignorant of English farming. By passing the present measure, too, they would be guilty of the absurdity of adopting a pretended sliding-scale for three years, without any of the benefits of the sliding-scale.

LORD KINNAIRD: Why, then, do you seek to perpetuate this absurdity?

LORD BEAUMONT said, that they did not seek either to establish or perpetuate it; but they would not support a measure now, which was only to interfere with it in three years, because they did not wish to legislate for a future Parliament. He

(Lord Beaumont) would ask, too, had they any right to cut off the source of revenue which the corn duties afforded? How did they know that the state of their finances at the end of three years would allow of such a sacrifice? If they would not put a tax upon the corn because it was an article of general consumption, what right had they to keep up a tax upon any article of general consumption? The argument against this tax was an argument against all taxes on the necessaries of life. The question was now one of revenue. If they could not tax foreign corn for revenue, they could not tax any article of food, clothing, or furniture. The Bill was one which was calculated to make every farmer a free trader; and there could be no doubt that if this measure was passed, there would not only be an attack upon the customs duties, but there would be, and with much stronger reason, an attack upon excise. If they dared not, upon principle, tax the foreign grower of corn, why should they tax the farmer of England for his barley—why should they tax him for attempting to make sugar out of articles the produce of his soil—why should they tax his hops—and why should they forbid him to grow tobacco upon lands that would not grow wheat? And the matter would not settle there—it would extend to the subject of tithes. He differed altogether on this subject from the right rev. Prelates who had spoken. He said, that after this Bill passed, gross injustice would be done to the landowner by the Tithe Commutation Act. How was the Tithe Commutation Act arranged? They took an average of seven years, which was a period of high farming, induced by protection. Those seven years were the basis of the Commutation Act; and it must be remembered that in those seven years land was brought under the plough, which, if this measure passed, must be thrown back again to pasture. The effect of this would be that the land reverting to pasture, would, for seven years, be saddled with an arable tithe. In proof of this he quoted several cases given before the Committee on Lands Burdens, to show that even now there were farms which their owners would gladly lay down in pasture if they were not deterred by the amount of tithe. In other cases, again, where the land was poorly cultivated, previously to the Tithe Commutation Act, he admitted that the landowners had benefited. He contended, farther, that the measure would alter the whole landed property of the country. Taking the rent of the land in England, according to the income-tax returns, at 45,000,000*l.*, or, what he thought would be nearer the mark, at 40,000,000*l.* sterling—for he knew that three and a half millions of tithes and fines, and other sources of revenue, were included in the larger sum—and assuming that farmers ought to make three times their rent, that gave an amount of 120,000,000*l.* But if this Bill only depreciated farming produce 20 per cent, the effect would be that the landed property in the country would be reduced from 120,000,000*l.* to 96,000,000*l.*, while the amount of charges in the shape of taxes, &c., continued the same. This was a measure by which they would raise the value of money, while they would reduce in proportion the value of all other kinds of property. Would it, then, be just to reduce the value of property to this extent, and yet leave the same amount of money charges upon it? The State, which received a land tax, or the titheowner who received money payment, would benefit to the extent of the increase, so that it cut unkindly in two ways on those who did not receive a money payment. The man with a fixed income in money would be able to purchase so much more on account of the reduced prices in the market; but the farmer, while he received so much less for his produce, would have to bear the same amount of money payments as now. If they acted with justice, they must reduce the taxation on the particular interests whom the Government measures affected. The fact was, the Legislature must, in the event of the success of the scheme, come to the consideration of local taxation which pressed with peculiar severity on the land. Then, if they reduced this species of taxation, they must throw the burden upon the Consolidated Fund. In other words, they would increase the demands on the Exchequer, while they sought to demolish a chief source of revenue. By the present measure they were throwing away a million of money at least which might be procured without raising to the amount of a single farthing the price of corn in this country. He did not think that the small duty of 2*s.* or 3*s.* a quarter made any difference whatever in the price of foreign grain when sold to the people of this country. At Dantzic the exporters were not guided by the price of corn in the continental markets, but in the English markets; these foreign merchants looked to the London market, and

when this market rose, so wide a margin always existed between the original price of the grain and the price it fetched in London, that they could add two or three shillings a quarter without any diminution of demand. Instead of the continental average regulating prices in Dantzic, the London prices alone influenced the exporting merchants. They watched our market, and could adapt themselves to it with advantage. The measure would involve a great sacrifice of revenue, and benefit none in the end but the foreign exporter. He would vote for the Amendment of his noble Friend on the cross benches, although he thought the protection which was really important had been virtually destroyed by their former vote, and the present proposal could not restore it. The principle of protection being entirely abandoned, they were now bound to consider the question of revenue. They were about to legislate not for the present, nor for the next three years, but for a future period of a distant date. They were depriving the Government of that future day of a rich source of revenue which they were unwilling to sacrifice themselves, and binding a future Parliament to terms they themselves rejected. The Government ought to have courage, and manfully bear the evils which their measures brought with them, and not to entail upon their successors the results of a disastrous policy. In conclusion, he would remind their Lordships, that though they had abandoned the principle of protection, they had a revenue to provide, and that if they acted consistently with their newly adopted policy they must be prepared to sacrifice one-half their custom duties, and two-thirds of their excise; and, moreover, that while they were keeping up, if not increasing, the general and local taxation of the country, they were diminishing the incomes of those on whom that taxation almost exclusively fell; that the foreigner would profit most by the present measure, and that he might find it his interest to use the command he must necessarily acquire over our corn markets, for the purpose of embarassing the state of our finances. He had spoken so often on this subject that he was ashamed to detain them longer.

The MARQUESS of BUTE thought the Amendment proposed by the noble Duke would not afford much protection to the agricultural interest. He did not wish to undervalue anything which fell from the noble Duke; but it struck him, that what the noble Duke suggested to their Lordships could not furnish any assistance worth speaking to any branch of agriculture; and if the Amendment did not offer any real and substantial good to the agricultural interest, they had much better be without it. In expressing this opinion, he thought he was merely enunciating the sentiments of a great many farmers in this country; for they considered that any measure of protection, however slight, would be regarded by the rest of the community as invidious; while it might afford to the possessors of it but very slight advantages. From conversations he had held with many farmers, he was persuaded it was their impression that either an effectual protection, or none at all, was for their real interest. He must frankly tell their Lordships that when he began public life, he thought protection was the principle upon which the policy of this country ought to be regulated; but having been directly or indirectly engaged in matters directly or indirectly connected with the commerce of the country, his opinions had undergone considerable change. He now thought that protection, as far as commerce was concerned, so far from being a benefit, was a positive injury; and he thought that, even as regarded agriculture, it was not serviceable. He confessed that he did not view with any great apprehension the measures before Parliament; and having made inquiries in various parts of Scotland and England, was inclined to think a great many of the more intelligent farmers regarded them with as little alarm as he did; even in the districts where the greatest alarm prevailed, the more enlightened farmers did not participate in it. As to the duty spoken of by the noble Lord, he was able to say that if they imposed a duty for the sake of revenue, they would act diametrically opposite to the wishes of the occupiers of land; though he did not at all mean to say that the occupiers of land were to dictate either to their Lordships or to the other House of Parliament. As regarded the question of tithes, about which so much had been said, he must say that he did not coincide in the extreme opinions expressed on either side; but thought the result would be somewhere between both—neither absolutely ruinous, nor very injurious. He would vote against the Amendment of the noble Duke.

The EARL of HARDWICKE would not again have troubled their Lordships if he had not felt very strongly on this subject.

He would trouble the House with a few details upon points which had not been sufficiently enforced. He could not at all agree with the noble Marquess, that the farmers of England were averse to a duty for the sake of revenue. His impression was, that their only feeling would be one of anxiety to contribute in that way to the revenue; and such a duty, let it be remembered, would, at a very moderate rate, bring in a revenue of one million sterling. After the Bill passed, he believed they would hear no more about free trade from its present advocates, the manufacturers; but they would find then nobody would be such a free-trader as the farmer. As the Legislature had thought fit to withdraw protection from him, which protection had alone enabled him to meet the heavy demands which pressed upon him, the farmers would loudly and unanimously demand that the tax upon all other articles which came into general consumption, should be withdrawn also. He did not expect that the arrangement proposed by this Amendment would be permanent; for it seemed to him that Ministers had cut at the very root of all stability in financial measures. The Amendment of the noble Duke was certainly not what the agriculturists might desire; but they must look to the position of parties. He avowed himself anxious to maintain even a fragment of protection; and, in the hope that they would be able on a future day—since they were not permitted to do so now—to take the opinion of the country on the question, until they should have an opportunity of asking the country whether they were for protection or not. These were the grounds upon which he would support the Amendment of the noble Duke. If they could get no more, he would be perfectly ready to have a protection of 10*s.* a quarter. The exigencies of the country demanded it. He was as perfectly certain as he was that he stood there, that they could not cultivate the poorer soils without it. The noble Lord opposite (Lord Kinnaird) shook his head; but he had heard the noble Lord in former times say, that no land ought to be cultivated for wheat unless it could grow fifty bushels an acre. [Lord KINNAIRD: I said thirty-two bushels.] No land to be cultivated unless it produces thirty-two bushels an acre. Then, how are you to feed the people? Why, the average production on most inferior soils is not more than twenty bushels an acre. The county I live in is a great wheat-growing county, and sends out more wheat than any other district; and let me tell the noble Lord that thirty-two bushels is a very large average indeed, even there. So you will displace all the labour, and throw all the land out of cultivation which does not produce thirty-two bushels an acre. What are you to do for bread? [Lord KINNAIRD: I said, thirty bushels an acre.] Oh, the noble Lord has come down a bit! But no land is to be cultivated which does not produce thirty bushels an acre. My Lords, this is very important, considering that it comes from the head of the Anti-Corn-Law League. We are to starve unless all lands produce thirty bushels an acre, or unless foreign countries feed us. Why, if the noble Lord thinks that thirty bushels an acre is the average produce of the kingdom, I must say he knows nothing about farming. [Earl STANHOPE: Kitchen garden cultivation, the noble Lord must mean.] Truly, my noble Friend is correct. The noble Lord of the thirty bushels must be speaking of the produce of the kitchen garden. But if all such land is to be taken from the productive sources of the country, they would become dependent on foreign produce to an extent that has never yet been heard of, and the price would be affected accordingly. It was a mistake to suppose that the farmers were interested in keeping up the price of bread. The cheaper the bread, the better for them; but it must be the bread of home-grown corn. Protect them—protect them, he would say; and he would answer for it, that under the system of protection, the people of England would eat cheaper bread than ever they would under the proposed measure. He would now make a few statements, to which he wished to call the attention of the House. He would take the price of bread in London from 1757 to 1817, allowing twenty-five per cent for change of currency. In 1757, the price of the quartern loaf was 8*d.*, the same price as at present. In 1800, it was 1*s.* 4*d.*; in 1809, 11*d.*; in 1810, 1*s.* 1*d.*; in 1811, 1*s.* 1½*d.*; in 1812, 1*s.* 3*d.*; in 1813, 1*s.* 1½*d.*; in 1814, 9*d.*; in 1815, 9*d.*; in 1816, 1*s.* 1*d.*; in 1817, 1*s.* 3*d.* These variations, occurring as they had done, were evidently not owing to protection. There were some other points in reference to this question which had not been touched upon in that House in detail. They (the landowners) had been charged with selfishness on their part in endeavouring to retain protection; but they were the parties who in reality

would suffer least, inasmuch as they were better able to bear the loss; but what was to become of the class of men who cultivated small portions of land? In 1841, according to the returns, there were in Ireland 306,915 farms under five acres; between five and fifteen acres, 251,128; above fifteen acres, 127,166: making in all, 685,209 farms, of which 457,000 and more were under fifteen acres. The House knew the destitute condition of these people, and how much more dependent on the profitable returns of the soil they were than those who had larger possessions in land and greater incomes. There were in England, in 1812, according to property-tax returns of that year, 114,778 farms which paid rents of 66*l.* 13*s.* 4*d.*; above 66*l.* 13*s.* 4*d.*, and under 200*l.* a year, there were 432,534. There were, therefore, under 200*l.* a-year of rent, no less than 546,000 farms; and the population had since that time increased seventy per cent. Were not their Lordships responsible for the safety and comfort of this large class, or should they throw them entirely out of their consideration? It was said, go on and improve, and grow more; but those who said so did not seem to know that they would come to a point when they could grow no more. Nature raised obstacles in the way. They were so dependent on the season and the storm, that in a moment the grain was laid flat and wasted. [The noble Lord here gave the results of a calculation which he had made of the loss which the present measure would entail upon the farmer.] He would take a farm of 400 acres of inferior land, paying a rent of 400*l.* a year. The landlord took the sixth or seventh of the produce, the farmer took the remainder. There were grown on this, 100 acres of wheat, producing 30 bushels per acre, which made 1,000*l.* 10*s.*; 100 acres of barley, 36 bushels per acre, which made 725*l.*; 100 acres of beans or peas, which made 720*l.*; other produce, 249*l.* 0*s.* 10*d.* The whole produce, then, amounted to 2,490*l.* 10*s.*; from which deduct the rent, and there remained 2,090*l.* 10*s.* The gross receipts after the payment of the rent, would be 2,090*l.*; and out of this he would have to pay all the costs of cultivation, manure, &c. Now, nobody had ventured to tell them what the price of wheat would be under the new law. Mr. Cobden had stated to the farmer, that the change would increase his profits; to the landlord, that it would increase his rent; and to the manufacturer, that it would reduce wages. He had been the very Proteus of the day. Now, taking the prices at an 8*s.* duty, corn had been at 45*s.* a quarter on a long average. Now, he would venture to assert, that wheat would not be higher than 40*s.* a quarter after this Bill passed into a law, as the standard average of the price of wheat. The landlord might reduce the rent 100*l.* a year, and then, at this rate, the gross receipts would be 1,570*l.*, and the tenant's loss would be, even if the landlord gave up the whole of his rent, 125*l.* Then, they said, this was a landlord's question. Of course, in one sense, it was a landlord's question; but the tenant would be a ruined man; the landlord who had capital, energy, and activity, would take the land into his own hands, and cultivate it himself. It had been repeatedly said that rents were rising, notwithstanding these measures; but he denied that they were so unless there were some circumstances of a peculiar nature in operation, He had had farms to let since the measure of 1842 was passed, and though put up at public auction, they had not been accepted even with the promise to pay the tithe on them. He had two of them in his own hands yet, having been unable to find tenants. The statements which he made were founded on a practical knowledge of the subject, for he spoke as a dealer in these matters; and he felt convinced that the statements on the other side proceeded from agents and interested parties. There was one important question which he was desirous to put to their Lordships, in reference to this subject, and it was this—what were they to do with the political state of the country after this Bill was passed? He did not understand how they were to carry on the Government with the sentiments and sensations that it would call into existence—how they were to carry on the Government, and maintain the Throne, with the constituencies they had in the towns, who were rather republican—he would not say disloyal—but of a very radical tendency—when the constituencies in the counties were disgusted and alienated. Could they manage them? Could they advise them, or use the legitimate influence which might guide them to wise and temperate measures? If the question of protection were raised in the country, and Parliament should again restore to them the protection they had so long enjoyed, then they might remain loyal; but if they found that it was not so, and if, at any future stage of the history of this country, they

found their means greatly diminished, he could not conceive that anything less was to be looked for than a great change in the mode by which the revenue was to be raised. The protection they had enjoyed was not only to enable them to improve the soil, but to bear the heavy burdens on real property. The amount of revenue of the land was 250,000,000*l.*, the burdens imposed were 62,000,000*l.*; perhaps, if this were thought too little, he might say 80,000,000*l.* or 100,000,000*l.* Was the payment of these burdens to remain incumbent after protection was withdrawn? He said that it would be incumbent on Parliament, if protection were removed, to make all the other classes in the State take their share in bearing the burden of tithes, poor-rates, &c. Some time since he had presented a petition from the Commissioners of the Bedford Level, in which the petitioners stated, that if protection were removed, they would be unable to maintain in cultivation that district which had been reclaimed from the sea. The rents which the landlords received there were not more than 11*s.* an acre; and the petition stated that such moderate rents were considered satisfactory, merely because it was expected that in time the district would have a natural drainage. It was an artificial country, purely cultivated by the power of the steam-engine; it had been cultivated on the faith of the continuance of protection, and in the hope of eventual advantage from natural drainage; but with any great reduction of prices it would be impossible to keep up the cultivation. He should merely say that if the House passed this Bill, no doubt it would do so for reasons which would not injure the character of their Lordships as men of honour, desiring to do what was right, though their character as legislators, bound to protect the interests of these poorer classes, might be injured. Loss of character, in one sense, there would be in this business. A representative in Parliament becoming the servant of the Crown was, by the Constitution of this country, deemed to be so far a new man, that he must go back to the people for re-election; but where could be found a man so new as the man who had changed his opinions—who yesterday said, "Aye," and now said "No;" who to-day said, "Protection," and to-morrow, "None?" Changing their office from that of servants of the people to servants of the Crown, men must go back to the people to be re-elected; and if those who had with the people agreed that such and such laws were to be sacred, and such and such enacted, and who had committed sacrilege upon the one, and not done the other, were not required to appeal to the people, then Parliament would find itself placed in a wrong and false position with the country.

Lord KINNAIRD agreed with his noble Friend who had last addressed the House, in deprecating the clause which held this question in suspense for three years longer. He should certainly have preferred a total and immediate repeal. His noble Friend stated that, if this measure were carried, all the farmers of the country would become free traders. He (Lord Kinnaird) should not be surprised at that; for, as a member of the Anti-Corn-Law League, he might say that the principle of universal free trade was a principle on which they had always relied. One of the dangers the noble Lord opposite had set forward with much force was the irruption of foreign grain to be expected upon the reduction of the duty. That was an assertion which apparently deserved some attention; but in effect it would be found of no importance. There was a large quantity at present in bond which could not be sold at a profit to the merchant for less than 60*s.* per quarter; and what was rising in the corn-growing countries, in consequence of the demand for it to be sent to Holland and other parts. He contended that the improved method of cultivation which would be introduced would more than compensate for the less price to be obtained for the grain. The subject of wages had been alluded to; the landlords were not to blame for the low rate of wages; there was no set of men in any country so anxious to promote the welfare of their labourers as the landlords in England: but then the landlords should not maintain that agriculture was in such a prosperous state that the Corn Laws might be continued. He would instance the successful competition of the Scotch agriculturists with those of England as an example of the advantage to be derived from a better education of the agriculturist, and the introduction of a better system of farming. A friend of his stated to him that two Scotch agricultural labourers were fully equal to three labourers of Hampshire or Dorsetshire; and their work, besides being equal in quantity, would be much better done. What was wanted was an altogether better system of farming, so as to make the land produce what it ought, and then the English farmer with his means and advantages could compete with all the

world: land up the Ohio produced but ten bushels an acre, and we must make our land produce twenty-eight or thirty. An experiment had been tried in Ireland on two fields, side by side; one was cultivated on the old system, and the net profit for three years was 6*l.* 12*s.* 6*d.*; the other was cultivated on an improved system, and thoroughly manured, and the profit for the same period was 23*l.* 7*s.* 6*d.* Much had been said about the ruinous effect which the repeal of the Corn Laws would have upon the value of landed property. He (Lord Kinnaird) had had the advantage of hearing the opinion of Mr. Simpson, the eminent auctioneer, a few days back; and what did their Lordships think was the effect already produced? Mr. Simpson said, that in all his long experience, he had never known estates more in demand, or more easily either let or sold. Rents were rising, and prices were firm, and to be obtained with facility. Few better or more competent authorities than that gentleman could be found, and such was his statement; and he had added that the sliding as well as other scales had fallen from his eyes. But there was another high and competent authority, whose opinion was of great weight upon the question—he meant the tenantry themselves. On an estate which he (Lord Kinnaird) would mention as an instance merely of what was taking place, a number of farms having lately fallen out of lease, the tenants, in retaking them, demanded the insertion of a clause giving them the option, in case the Corn Laws should be repealed, of giving up their holdings. The agent consented upon condition that a similar option were given to the landlord of rescinding the lease, in case the property should, after the repeal of those laws, become more valuable. The terms were agreed upon; but before the completion of the deed the tenants came voluntarily forward, and declined to have the option in either case inserted, preferring to take their chance in the ordinary manner as theretofore. He could cite several similar instances to their Lordships; but he did not wish at that late hour to trespass further upon their time. But before he sat down he wished to add a word or two with regard to what had been said of the League, of which he was a member. Many allusions had been made to that body; and it had been asserted that no such excitement existed in the towns upon the question before them, as had been represented by the League to exist. Their Lordships would, he hoped, give them (the League) credit for having remained perfectly quiescent during the progress of the debate in both Houses. To such an extent, indeed, had they been quiet as to have given some sort of right to the noble Lord opposite to say that no excitement could be got up by them in the towns upon the subject; but he could assure the noble Lord that the League had resisted all the applications which had been made to them from all parts of the country to make a movement during the discussion, from a motive of respect to their Lordships, to the other branch of the Legislature, and to the Government which had taken the matter in hand, lest it might be said of them, in case they made a great demonstration, that their intention was to intimidate their Lordships. He was well aware that the League had been already frequently charged with an attempt to intimidate; and he was equally aware that many protectionists had asserted that their Lordships could not be intimidated; but although that had been said, yet he could assure them that the motives of the League were such as he had stated. They would not give a colour to such an assertion. They left the matter in the hands of the Government, and to the wisdom and discernment of their Lordships and the other House of Parliament; and that had been the reason for the great quiescence of that body. But if their Lordships imagined that there was any apathy abroad upon the subject, they greatly mistook the feelings of the country. The opinions of the manufacturing districts were deep and unanimons. He could speak for Scotland from personal knowledge; and he should say that if they were disappointed in their expectation that the Corn Bill would pass —if anything should occur to mar those hopes which were regarded at present as almost certainties, they would soon be heard, and in an unmistakeable voice.

House divided on Question, "That the words proposed to be left out should stand part of the Motion:"—Contents 130; Not-contents 103: Majority 33.

List of the Not-Contents.

DUKES.	MARQUESSES.
Richmond	Salisbury
Beaufort	Downshire
Rutland	Exeter
Montrose	
Newcastle	EARLS.
Buckingham	Huntingdon
Cleveland	Winchilsea

Chesterfield	VISCOUNTS.
Sandwich	Hereford
Abingdon	Gage
Eglintoun	Doneraile
Kinnoull	St. Vincent
Airlie	Sidmouth
Selkirk	Lorton
Orkney	Lake
Oxford	Exmouth
Dartmouth	Combermere
Aylesford	Ponsonby
Stanhope	Hill
Pomfret	BISHOPS.
Ashburnham	Glocester
Warwick	Exeter
Hardwicke	LORDS.
Ilchester	Stanley
Delawarr	De Ros
Mansfield	Hastings
Carnarvon	Clinton
Cadogan	Willoughby d'Eresby
Malmesbury	Beaumont
Egmont	Vaux
Shannon	St. John
Enniskillen	Sinclair
Roden	Saltoun
Mountcashel	Polwarth
Wicklow	Middleton
Lucan	Sondes
Erne	Boston
Limerick	Hawke
Clancarty	Walsingham
Onslow	Southampton
Nelson	Berwick
Charleville	Bayning
Oxford	Bolton
Lonsdale	Northwick
Harewood	Clonbrock
Bradford	Redesdale
Beauchamp	Colchester
Sheffield	Faversham
Eldon	Skelmersdale
Falmouth	Wynford
Somers	Templemore
Stradbroke	Abinger
Munster	Ashburton
Ranfurly	De Freyne

Paired off.

Duke of Marlborough	Earl Howe
Duke of Portland	Archbish. of Canterbury
Duke of Manchester	Marquess of Winchester
Marquess of Thomond	Duke of Devonshire
Marquess of Ely	Marquess of Ormonde
Marquess of Westmeath	Duke of Sutherland
Earl of Cardigan	Earl of Besborough
Earl of Lauderdale	Viscount Melville
Earl Ferrers	Earl of Romney
Earl of Tankerville	Lord Saye and Sele
Earl Waldegrave	Earl of Meath
Earl of Guilford	Lord Prudhoe
Earl Digby	Duke of Somerset
Earl of Beverley	Duke of Bedford
Earl of Longford	Earl of Westmoreland
Earl Brownlow	Marq. of Londonderry
Viscount Arbuthnot	Lord Abercromby
Viscount Strangford	Earl of Camperdown
Viscount Doneraile	Duke of Roxburgh
Viscount O'Neill	Viscount Massareene
Viscount Beresford	Earl of Clare
Viscount Canterbury	Lord Foley
Bishop of Winchester	Bishop of Lichfield
Bishop of Bangor	Bishop of Chester
Bishop of Llandaff	Lord Bexley
Bishop of Bath and Wells	Bishop of Norwich
Ld. Willoughby de Broke	Earl Amherst
Lord Colvile	Lord Downes
Lord Reay	Bishop of Durham
Lord Dynevor	Earl of Essex
Lord Bagot	Earl of Stair
Lord Sherborne	Lord Strafford
Lord Braybrooke	Lord Colborne
Lord Lilford	Earl of Sefton
Lord Farnham	Lord Talbot of Malahide
Lord Crofton	Marquess of Anglesey
Lord Alvanley	Lord Dunfermline
Lord Ravensworth	Lord Stourton
Lord Rayleigh	Lord Rolle

House resumed.
House adjourned.

HOUSE OF COMMONS,

Monday, June 15, 1846.

MINUTES.] NEW WRIT. For Carlow County, *v.* Thomas Bunbury, Esq. deceased.

PUBLIC BILLS.—3° and passed. Ropeworks.

PETITIONS PRESENTED. By Admiral Dundas, from Greenwich, and other places, praying that a Bill may be passed compensating the Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).—From William James Chapman, Esq., Chairman of the South Western Steam Packet Company, on behalf of the said Company, praying that all Expenses for the Erection and Maintenance of Lighthouses, Floating Buoys, and Beacons on the Coasts of the United Kingdom, should be henceforth defrayed out of the Public Revenue.—By Mr. O'Connell, from People of England, Scotland, and Wales, and of the Irish resident in England, against the Protection of Life (Ireland) Bill.

THE OBSERVATORY AT GREENWICH.

SIR ROBERT INGLIS inquired whether there was any objection on the part of Her Majesty's Government to lay upon the Table the Report of the Scientific Commissioners who had been appointed to take into consideration the question whether the works of the Croydon Railway were likely to interfere injuriously with the operations of the Observatory at Greenwich?

SIR ROBERT PEEL replied that there could be no objection to lay on the Table select extracts from the document in question. It unfortunately happened that some excited feeling had been mutually manifested between the scientific men engaged in this inquiry, and he did not see what good end would be obtained by publishing mere matters of wrangling. Everything, however, of a scientific character—everything that was calculated to throw light on the merits of the question at issue, he would have much pleasure in laying before the House.

EXPLANATION.

MR. ROSS took occasion to allude to a matter connected with the debate on

Friday night. He had to complain that the right hon. Baronet (Sir R. Peel) had unintentionally misrepresented what had fallen from him in the course of that debate. The right hon. Baronet, in assuming to quote his words, had put into his mouth what he had never uttered. He had attributed to him this monstrous proposition, the absurdity of which must strike every one, that when a statesman once departed from the paths of the Constitution, the farther he diverged from it the better. He had never said anything of the kind. What he had said was, that when a statesman once found himself called upon to depart from the path of the Constitution, he ought not to falter until the object for sake of which he had left it had been attained.

SIR R. PEEL was not conscious of having misrepresented the hon. Member; but if the fact were otherwise, he could only say he regretted it. He remembered having asked the hon. Member whether he was prepared to deny the allegation, that the state of Ireland was such as to require some extraordinary measure such as the Bill under consideration? and when the hon. Member replied that he was prepared to deny the proposition, he asked the hon. Member if he had not expressed some such sentiment as this, that if the adjustment of the landlord and tenant question were not to prove highly beneficial to Ireland in pacifying that country, and if, despite of such a measure, outrages were to be of as frequent recurrence in the winter of 1846 as in 1845 and 1844, he would advocate severe enactments, and would not even think the suspension of the Habeas Corpus too strong a measure? It was certainly his impression that the hon. Member had made a manifesto of opinion to this effect. He also understood the hon. Member to say, that if they were to violate the Constitution, they ought at least to take care that the violation would secure the object they had in view. That was his construction of what had fallen from the hon. Member, and if he had mistaken him he was sorry for it.

COMMUNICATION WITH AMERICA.

In reply to a question from MR. P. MILES,

The CHANCELLOR OF THE EXCHEQUER stated that Government having thought it necessary that there should be more frequent communication than heretofore between this country and North America, were about entering into a contract in order to the attainment of this object with the Messrs. Cunard. The contract was not yet absolutely signed, but every thing was prepared, and the negotiation was in a state of forwardness.

MR. MILNER GIBSON did not see on what principle the Halifax Company should have the monopoly of the passenger traffic between this country and America. The Great Western Steam Packet Company, who had launched the Great Britain steamboat, had strong claims on the public and Government; and why should they be overlooked? The contract should certainly be open to competition.

The CHANCELLOR OF THE EXCHEQUER explained the grounds on which the Government considered the claims of Messrs. Cunard paramount to others. In the year 1838 the Messrs. Cunard were the persons who took the contract for establishing steam communication between this country and North America. In that contract, which was to last for ten or twelve years, as well as he could recollect, provision was made for the ultimate establishment (if it should be found necessary) of weekly communications. Up to this time, however, the Government had been content with a fortnightly communication only; but now that it appeared desirable to establish the weekly system, the Government certainly did think that the claim of the Messrs. Cunard was superior to that of any other parties.

MR. MILES moved for the production of copies of the contract, and of all papers which had passed on this subject between the Government and Messrs. Cunard.

Agreed to.

LORD JOHN RUSSELL hoped that, if the papers in question were to be laid on the Table, they would be accompanied by a statement of the manner in which the duties imposed by the contract had heretofore been performed by the Messrs. Cunard. He believed that it would be found that those duties had been performed in a very satisfactory manner.

PROTECTION OF LIFE (IRELAND) BILL—ADJOURNED DEBATE (THIRD NIGHT).

The Order of the Day read for resuming the debate on the Protection of Life (Ireland) Bill.

LORD WORSLEY said, that the measure was one to which he should feel it his duty to offer his strenuous opposition. He did not think that it was consistent with wisdom, justice, or sound policy to continue to govern Ireland on a system of

coercion, which had already been frequently tried, and had as frequently failed. Not only would the Bill now proposed be totally inoperative for good, but it would be positively productive of mischief, inasmuch as it would imperil the rights and liberties of innocent men, and make the Irish population, who already were by no means too favourably disposed towards that House, view its proceedings with deeper aversion and greater distrust than ever. There were many provisions in this Bill which were unconstitutional in their principle, and could not prove otherwise than highly oppressive in their operation. Amongst these, one of the most exceptionable was that which exposed a man, and possibly quite an innocent man, to the loss of liberty for the constructive offence of being found out of his house after sunset. A policeman was, in the first instance, to be the judge of what constituted "suspicious circumstances;" and the innocent man who was taken into custody by him would be imprisoned all night on the mere suspicion of being suspicious, and he would have no chance of liberation until next day, when brought before a magistrate. If it happened that he was taken up on a Saturday night, he must remain in custody all Saturday night and all Sunday; and it might perhaps be a late hour on Monday before a magistrate could be procured to investigate his case. The measure was altogether a Bill of pains and penalties, and totally unsuited for the present condition of Ireland. The hon. and learned Member the Recorder of Dublin said it would be ineffectual. It had been denounced as ineffectual also by the hon. Member for Dundalk, who had been nominated by the Government as a Member of the Devon Commission, and than whom there was no man who knew Ireland more intimately, or was a better authority on questions which concerned the Irish people, and influenced their condition. It had also been denounced by the hon. Member for Drogheda, and was indignantly protested against with one accord by the majority of the Irish Members. The hon. Members connected with Ireland who supported it were exclusively those who at all times had been in favour of coercion for that country, and whose policy it had been uniformly to resist every just and liberal measure proposed for the Irish people by every political party, but more especially by that party of which the noble Lord the Member for London was the head. It was his misfortune to differ on the Corn Law question from the Friends with whom he usually acted; but if there was one circumstance more than another which had prevented his abandoning the noble Lord's Government, it was approval of the policy adopted by his noble Friend towards Ireland; and although he had voted with hon. Members opposite against the repeal of the Corn Laws, he could not make common cause with them in supporting the present measure. He gave Her Majesty's Government every credit for the measures they had taken with a view to mitigate, and if possible to prevent, the evils complained of connected with the question of occupation of land; but he told them that no measures introduced to meet temporary distress would be of avail in creating good order, contentment, and a better state of things in Ireland. They had not held out the slightest prospect of their adopting a more liberal or a more enlightened policy towards Ireland for the future. Steeped in misery and destitution, a large proportion of the Irish population despaired of getting justice from that House, and identified their hope of happiness, comfort, and prosperity with the restoration of a domestic legislation. This was a state of things greatly to be deplored. Confidence in the Government, and a feeling of secure reliance that grievances would be redressed, and justice fairly administered—these were the sentiments which ought to be encouraged in the minds of the Irish people; and until such feelings were nurtured, it would be vain to hope for a better state of things. What reason was there for supposing that the present Government possessed the affections of the Irish people, or ought to possess influence in Ireland? None whatever. Efforts were continually being made to render the Emancipation Act a dead letter, by excluding men from place, power, and emolument, because of their religion. Were not those who now introduced this Bill, and advocated it, the same who resisted municipal reform and the correction of Church abuses, and who proposed a Registration Bill, to cripple and curtail rather than enlarge the franchise? Were they not the men who dismissed the magistrates in whom the people confided, merely because they expressed their opinions on a political question? He differed from those magistrates, and regretted very much they should think that a Repeal of the Union would be of any advantage to them; but the Government had not declared the meetings they attended to be illegal. They allowed those meetings

to go on, and at length began to dismiss the magistrates who declared themselves in favour of repeal. When those meetings had gone on increasing in every district, they did at last issue a proclamation, but at so late a period that if it had not been for the influence of the hon. and learned Member for Cork they would have had confusion, and perhaps bloodshed, in consequence of the tardy endeavours of the Government to put an end to those meetings. As he had before stated, the Government had now been in power for five years, and the people had, perhaps, great expectations excited by a late Secretary for Ireland, Lord St. Germans, then Lord Eliot, who had in that House voted on two or three occasions with the noble Lord the Member for London and his Friends on Irish questions. At the election for Cornwall the noble Lord said the same liberal feelings that had previously actuated him should continue to guide him when in office; but what had they seen? They had seen that he did not attempt the reforms they expected from him. It was true he did one act of justice, and proposed the grant to Maynooth; but it could not be forgotten by the Irish people that some Members of the party at the head of the Government did their utmost to prevent its passing. In fact, there was now on the books a notice from one of that very party to propose the repeal of that Act. What else did they do? They did what he was glad they had done. They had passed an Act for the establishing of colleges in Ireland. They issued a Commission to inquire into the relations between landlord and tenant in Ireland, and he hoped that good effects would reduce from it; but he felt that very exaggerated statements had been spread abroad in consequence of that Commission. He hoped, he repeated, that good would come from it; but he asked were those measures alone sufficient to induce the people of Ireland to endeavour to assist the Government in carrying out the laws of the land? The Government had not, in his opinion, sufficiently tried what could be done by the vigorous exercise of the law, but seemed at once to fall back upon the old policy of bringing forward a Coercion Bill. Now, would they venture to bring forward a Bill of that kind in England? It was said that crimes were committed in Ireland at night; but he was very much afraid, if they relied upon this Bill only, that when vengeance was intended it would not prevent that vengeance being taken in the day time. But had they no disturbances in England at night? They might say, in comparison, it was a trivial case—but there were the riots in Wales. They might say that it was confined to the destruction of turnpike gates; but he believed it was not confined to turnpike gates. He believed, when the people found they had the power, and could assemble large bodies of the people, and elude the police, that they turned their thoughts to any other matter which they considered a grievance. This Bill he considered to be most harassing and harsh, and those who knew Ireland well felt it would be ineffectual. He thought they would disgust the people of Ireland with this measure, instead of getting them to carry out in its full integrity the law of the land. If that were the case—should they find if they were obliged to put this Bill into operation that it failed, what were they doing? They were throwing back Ireland in her prosperity—it had been more prosperous of late years—it was growing in prosperity; but if this Bill came into operation it would affect that prosperity. If they failed in that measure, and if, in consequence of that failure, they had greater difficulties as a Government to contend with in Ireland, it would be their own fault. If, however, they should give up the Government to others who did not approve of this measure, who might succeed in tranquillizing Ireland by milder means, what a lesson they would teach! He believed that by different measures, by milder and more temperate measures—but yet showing a determination to maintain the laws of the conntry, they would be more likely to establish peace in Ireland, and to wear away, by degrees, the evils that prevailed, than they could do by bringing forward such measures as the present. He would, as upon the first reading, oppose the Bill. It was said that they should vote for the first reading of the Bill, because if they did not vote for the first reading they would be showing a want of deference to etiquette; but the Irish people did not understand that. He had objected to the Bill then on principle; he objected to it now on principle; he believed it to be unnecessary, and he should give the strongest opposition to this Bill in all its stages.

SIR R. H. INGLIS said, the noble Lord had charged the Government with many things, but he had not charged them with anything more preposterous than with being answerable for the notice given by the hon.

Member for East Kent (Mr. Plumptre) for the repeal of the Act for the endowment of Maynooth. Having given his confidence to the Government on the introduction of this measure, he should not suffer any collateral matters to disturb the vote which he intended to give on the present stage. At the same time he must say—and he said it more in sorrow than in anger—that he could not justify the Government for having suffered the Session to reach such a protracted period without having earlier sought a decision of the House upon a question so vitally important. He should not taunt them with having failed to make a House upon one occasion; but having by some calamity or casualty failed to secure an early attendance for the discussion of the question, he held that they ought not to have given precedence to any other measure until they had secured the assent of the House to this. He gave to his right hon. Friend at the head of the Government the same confidence with respect to this measure which he had yielded to his noble Friend now on the opposition side, in the case of a similar measure when introduced by the Government of which he was a leading Member. In every case he held that the Government was responsible for the peace of the Empire; and if they told him that a particular measure was necessary for preserving the public tranquillity, on them must rest the guilt—if guilt there were—in its enactment. He would not take upon himself the responsibility of saying that this measure was not necessary for the protection of life and property in Ireland; and having voted in favour of its introduction and the first reading, he saw nothing to induce him to alter the votes he had so given. He did not repose a blind confidence in the Government; he was sure they would acquit him of any such charge; but this being a measure of high police, he should support it as he would a measure of police applying to Kent or Cumberland. He believed the Government would have done better if they had not permitted the Bill to be altered and mutilated as it had been in the other House; but if they made up their minds, after five months' consideration, that although altered and mutilated the Bill was still essential for the good Government of Ireland, he promised them his support, but no longer than the Bill should remain as it now was.

Colonel VERNER remarked, that as he believed some measures were urgently required to protect life and property in Ireland, he would give the present Bill his support. At the same time he could not but express his deep regret that it should have been delayed for so long a time, as he was convinced that no measure had as yet been brought forward which was of so much importance to Ireland. He felt it his duty to vote in favour of the measure before the House; and having said so, he felt it also his duty to defend his conduct and character against a charge of inconsistency which had been brought against him by the right hon. the Secretary of State for the Home Department. It became his duty to state in 1845, in a letter to the Government, that there was a probability of distress prevailing in Ireland. The right hon. Gentleman charged him with having made the statement he did as regarded his own neighbourhood; but so far from it having any reference whatever to his own locality, the place was not within twenty-five Irish miles of his residence; it was situated in a county in which he never set his foot, and with which he had no connexion.

Mr. HORSMAN had come to the decision to vote against the measure, because he felt, on a review of all the circumstances under which it was proposed, he could not vote for the continuance of a system which had been productive of so much evil. He could not vote against this Bill on the ground of insufficiency of evidence as regarded the fearful extent of crime in Ireland, nor on the ground that the Government had not forwarded it more hurriedly. He opposed it on principle. Two measures of great consequence had been brought forward by the Government. The one was a great, large, and bountiful measure—a measure calculated to cheer the hearts of the nation by the blessings it was about to confer on them. The other was a harsh measure—a measure of severity, imposing pains and penalties on a whole people, whose crimes were, after all, the offspring of misgovernment. He was willing to take the view that was not disparaging to the Minister. He believed he had addressed himself to the one task because his heart was with it; but that he required a spur to urge him to the other, because experience had made it as repugnant to his reason as to his feelings. The hon. Member for the University of Oxford had spoken of this as a mere police measure. If they were to look upon it in that light—if they were to look upon it as a mere isolated measure, brought forward by the Government of the day for a temporary purpose—they might

be disposed to trust it in their hands; but it was because he looked upon it as part of that old, impolitic, and sanguinary system which had wrought such calamity in times past to Ireland, that he could not allow that system one single day to be perpetuated. He could not, for a single moment, support such a measure, seeing, as he did, the utter failure of all measures of the same nature which passed before it. It was a system which Her Majesty's Government were not answerable for more than any other Government who preceded it. His reasons for opposing this measure were not founded on his own experience alone. He was supported by the authority of Lord Holland, who opposed the passing of the Insurrection Act when it was before the House of Lords, on the ground that measures of such a character were calculated to impede the working of measures introduced for the purpose of removing existing evils, and to destroy the unity of feeling between this country and Ireland. That occurred in 1825, and he did not see how such a measure was less objectionable now. Every enactment of the kind was a bad precedent. Was there anything in the results which arose from putting the system into practice, which could encourage them now in passing this measure? There were seventeen Coercion Bills already passed for Ireland which failed, and now they were called upon to pass the eighteenth. It was admitted by the noble Lord (the Earl of Lincoln), who introduced this Bill, by the right hon. Baronet the Secretary for the Home Department, and by several other Members, that the social state of Ireland was totally disorganized. He however thought that this was too harsh an expedient. He admitted that the crimes complained of were almost indigenous to the country; but he would tell them that they were the result of misgovernment, and that, instead of trying to suppress the symptoms, they should remove the causes. They had from Lord Devon's Commission a Report, stating that the Irish people were undergoing sufferings unknown to any other people. The law gave them not a shadow of the right to subsistence. Mr. Burke said that you forced from the people the obedience of subjects, and you never gave them the rights of citizens. The hon. Member for Waterford told the House the other night that during the last five years not less than 150,000 had been turned out of their dwellings. In consequence of such a state of things the desire was engendered to commit crime, and it was impossible to say a word in justification or palliation of the cause of the crimes. The speech of the right hon. Gentleman on Friday was exactly the same as that which he made when, in 1814, he introduced the Irish Insurrection Act. That Bill was of a similar nature to the present, and it was introduced by the right hon. Baronet as the organ of the Government; and if the speech the right hon. Gentleman then made was compared with that which he delivered the other night, it would be found to be completely alike, with the exception of the names of parties and of the places where the outrages were committed. It was impossible for any one who looked at the two cases not to admit that the one was the counterpart of the other. The right hon. Gentleman then said, as he now repeated, that murders were committed in the open day, and juries refused to convict; and he added, on both occasions, that those crimes did not arise from any political or religious causes, but in consequence of disputes arising out of the tenure of land. It was impossible for him to say how many Bills of Coercion the right hon. Baronet had introduced since that time; but had he introduced a single measure as to the tenure of land? He now again recommended this measure, which every individual considered objectionable in opinion, and which no one regarded other than as a temporary remedy for a permanent evil. He gave full credit to the right hon. Gentleman for his sincere desire to promote the welfare of Ireland, and also for the measures which had been introduced by the Government; but he regretted that they had not been introduced at an earlier period of the Session: he also gave the right hon. Gentleman full credit for the measure which he had introduced last year. He believed that it was the right hon. Gentleman's wish, as well as his policy, to legislate for Ireland in a liberal spirit; but he trusted on that occasion the House would show that Parliament was not prepared to give unconstitutional powers, and to show above all, to the landlords that they must depend, not on the support of English troops, but on the confidence of their countrymen. He regretted that the right hon. Baronet did not at once apply a proper remedy. Seeing no good likely to arise from a temporary remedy for a permanent disease, he felt called upon to give his opposition to this Bill; and he did so because he could not reconcile his mind to impose restrictions which the Irish people would

consider as falling unjustly on them, nor was he willing to give unconstitutional powers to a Government, until every constitutional means had been exhausted.

Mr. COLQUHOUN said, that if he found himself disposed to vote for the second reading of the Bill, it would not be on the grounds stated by the hon. Member for the University of Oxford (Sir R. H. Inglis); neither could he adopt the reason laid down by the noble Lord the Member for Lynn (Lord G. Bentinck), who said that he could not place unconstitutional powers in the hands of a Government in which he had no confidence; for if the noble Lord the Member for London had brought forward the same proofs in support of a measure as those that had been adduced by his right hon. Friend in his statement, he, although he had no confidence in the noble Lord, could not refuse Government such powers when they were asked for on its responsibility. His noble Friend said that there had been a diminution of crime within the last few months, therefore the case for the Government failed; but he thought the case of the Government, as stated to that House, was impregnable, and the proofs incontestable. Magistrates of different politics and religion, and of various counties, had petitioned in favour of the Bill, stating that crime was triumphant, and that there were no means of procuring evidence to convict its perpetrators; and if any one attempted to vindicate the law, or assert the rights of property, in some of the districts of Ireland, he incurred the most serious danger of his life. When the noble Member for London talked of remedial measures, as the hon. Member for Cockermouth had also done that evening, he would ask, were they to tell the people of Ireland that, although in some districts their lives were not worth a month's purchase, they must wait for a better state of things—until some arrangement was made on the subject of the Irish Church—until some measure with regard to the franchise was introduced, or, perhaps, until some addition to the number of Irish Members was made? He thought, however, that the House would be of opinion that they had quite Irish Members enough. They were a large and able body of Members; but he really did think there were enough of them. It was ridiculous to discuss such subjects when the question was whether they would let the farmers and landlords continue to suffer in a way which was a reflection upon the condition of the country. He agreed with his noble Friend in thinking that the measure should have been pressed by the Government, so that it might have passed in the shortest possible time after the commencement of the Session; and he also agreed with his noble Friend that there had been a most extraordinary and culpable delay in its progress. If the Government had done its duty, and had passed the Bill through the other House, if possible, in the shortest possible time, as Lord Grey's Government did in 1833, and called upon that House to pass this Bill for the protection of life before other Bills, it would speedily have been carried. The anxiety of hon. Members who were supporters of the Corn Bill, would have induced them to hasten its progress; and this Coercion Bill would have been the law of the land if the Government had shown the proper anxiety to pass it. The great fault of the Bill was the want of a proper tribunal for the trial of these offences. You might get evidence from the constabulary against parties; but it was a most difficult thing to get juries to convict. There were only two clauses in the Bill before the House of any value in repressing crime, and those were what was called the Curfew Clause, and the Transportation for Seven Years Clause, both of which were opposed by the noble Lord the Member for London. On this point he heard, with some alarm, an observation of the right hon. Baronet a few nights ago, when he called upon the House to vote for the second reading, and said that these clauses might be materially altered in the Committee. The right hon. Baronet, therefore, left it uncertain whether he would consent to strike those two clauses out of the Bill. He was afraid that the right hon. Baronet would come down, as he did the other night, and say that he was glad of an opportunity of gratifying Gentlemen opposite from Ireland, forgetting the forty Irish Members who sat behind him. He therefore was afraid that the two clauses which gave energy to the Bill would be suppressed, and the Bill would then not be worth the paper on which it was printed. He therefore asked the right hon. Baronet the Home Secretary, who had yet to speak in the debate, whether he would pledge the Government to the Bill as it stood, and, above all, to those two clauses which gave efficiency to it? If the right hon. Baronet would not give an answer in the affirmative, and as he (Mr. Colquhoun) had no confidence in the Government, and as he believed they would give way on this matter,

he would not vote for the second reading. He had shrunk from the first reading, in consequence of his fear of the conduct of the Government, and he should now decline voting unless he received an explicit and satisfactory declaration from the right hon. Baronet. His noble Friend the Member for Bandon said, why oppose a Government in whom you have some confidence, and pursue a course which might throw them out of office, and give the Government of Ireland to Gentlemen opposite, in whom he had no confidence? So far as coercion went, the Whig Government went beyond the present, for the measure which they introduced in 1833 was one of the sharpest which ever came before the House. He did not suppose that the noble Lord (Lord J. Russell) would deny that when he had the short possession of power at the end of last year, that he felt that such was the pressure of the case, and such the state of Ireland, that the noble Lord whom he selected to hold office as Lord Lieutenant of Ireland stated that he would not go to Ireland unless his hands were strengthened by a Coercion Bill, and to this the noble Lord acceded. He therefore did not suppose that the Government of Gentlemen opposite would do otherwise than the right hon. Gentleman; and that if Ireland remained as it was they would refuse to pass a rigorous Coercion Bill. The noble Lord the Member for the West Riding (Lord Morpeth), who had as much knowledge of Irish affairs as any Member of that House, had admitted the necessity of the measure introduced by the Government; and he would beg the hon. Member for Weymouth, who condemned all Coercion Bills, to remember that. It appeared that at a meeting in Chesham Place (the residence of Lord J. Russell), the hon. and learned Member for Cork, the hon. Members for Finsbury, the hon. Member for Sheffield, the hon. Member for Montrose, and other hon. Members of similar opinions, were present, which implied that if the noble Lord was going to govern such a party his principles must be very stray—if he was going to drive such a team, he knew he must throw down a great many slices of the Constitution to them. The question, however, was, were they in a better position by supporting the present Prime Minister than they would be by supporting the noble Lord? He believed the hon. Member for Montrose did not wish to see the noble Lord in power. He thought so; and the noble Lord would, indeed, find that he had a most restive, kicking, and curvetting team to manage if he took the reins. The hon. Member for Montrose, the hon. Members for Finsbury, and others, would bear down again, as in former days, on the noble Lord when he made one of his Conservative speeches; for he was by nature and habit a constitutional Whig, and ought to be on that (the Ministerial) side of the House; and the right hon. Baronet ought to be in the noble Lord's place. He wished he could by the forms of the House make such a Motion. Why did the hon. Member for Montrose, the hon. Member for Coventry, and hon. Gentlemen of similar opinions, wish to keep the right hon. Baronet in office? Because in reality they sat behind the driving seat; and whatever they whispered the right hon. Baronet adopted. He was quite alarmed when they got up and flattered the Prime Minister by telling him that he was far in advance of his party, and so forth. [Mr. B. ESCOTT: Hear.] He was not surprised at that cheer, for the hon. Member for Winchester ought to be on the other (the Opposition) side of the House; and he had no doubt after the next election the hon. Member would be. He was going to say, that when any hon. Gentleman of Radical opinions got up, and complimented the right hon. Baronet—told him that he was the man to save the country, and so forth—and then propounded some extreme views, he trembled, for he knew the right hon. Baronet would most probably adopt them. Irish colleges were suggested, and the idea was soon adopted. The endowment of Maynooth was next hinted at, and the right hon. Baronet soon after proposed it. At the close of last Session an hon. Gentleman brought forward a Motion on the subject of education, upon which occasion the hon. Member and the right hon. Baronet complimented each other; and he had no doubt that if the repeal of the Corn Law had not been proposed this Session, the right hon. Baronet would have come down with some scheme of national education similar to that which he scouted when proposed by the noble Lord the Member for London. He took up the opinions of hon. Gentlemen on the other side of the House, licked them into shape, hinted towards the close of the Session the policy which he was going to adopt, and sat down amid the blank looks of his friends and the cheers of his opponents. In the next Session he brought forward a measure more extensive than

he had hinted at, to the astonishment of all his friends. That was the programme which they had had for years past, and should have for years to come. In future it would be more distinct, and the acting would be stronger, if the right hon. Baronet remained in office. And upon what ground did he adopt such a course? [Mr. B. Escott: On the confidence of the country.] They would try that at the next general election. He had no fear of the issue, either in the towns or counties of England; and that was the reason why he wished to get the noble Lord the Member for London in power, and not because he had any confidence in him. The hon. Member concluded by saying, that if the Government would give him the assurance he required, he would vote for the second reading of the Bill; and if they refused to do so, he would not vote at all.

Colonel SIBTHORP: His hon Friend required a pledge; he would condescend to ask none; nor would he give credit to any pledge made by the Government. He had neither voted for nor against the Bill on a former occasion; but the speech of the noble Lord the Member for King's Lynn, whom he was proud to call his friend, had induced him to alter his course. Never was there anything so wretchedly inefficient as the reply of the right hon. Baronet, whom he was not proud to call his right hon. Friend. The Lord deliver him from such friends! He was, therefore, prepared now to take the straightforward, manly course, of voting against the measure. He had no Irish property; but he knew Ireland well, and had never received harsh or unkind treatment from any of its people. He had never found it necessary to travel there with an escort; and he felt convinced that they had only to do their duty towards Ireland, and they might rely on being met with good feeling and good will, provided they were not restrained by their priesthood. Now what was this measure? Was it intended for the benefit of Ireland? If he could think so, he would be most ready to support it. But it was a most inefficient measure, and one which he could not support, emanating as it did from a weak Government, as incapable as they were unwilling to bring in any measure to promote the interests of Ireland. It was an old saying that a dog might bark and yet not bite; so it was by the right hon. Baronet, who had shrank from proposing any measure against the wishes of the hon. and learned Member for Cork. Why, else, did they allow the Irish Attorney General and the Irish Judges to be insulted? If life was in danger in Ireland, why did they not act with promptitude? It was rather too late to talk of protecting the life of a man after they had hanged him. He did not believe the Government to be sincere in bringing forward this measure; and he, therefore, felt it his duty to oppose it. He did not know whether it had been presented, or not, but he understood that a petition had been prepared against the measure, signed by 259,000 persons. He had no confidence in the right hon. Baronet; neither had he any confidence in the noble Lord the Member for the city of London: but of the two he preferred the noble Lord. A man caught twice in a trap had only himself to blame if he never got out of it. Having, therefore, no confidence in the present Government, and feeling assured that the sooner they got rid of the black sheep the better it would be for the rest of the flock, he would most cordially join his noble Friend, whom, as he said before, he was proud to call his friend, in rejecting this detestable measure.

Lord J. RUSSELL: I should conceive that I had a comparatively easy duty to perform, if I could at all reconcile my mind to the maxims for our Parliamentary conduct which have been laid down by my hon. Friend the Member for the University of Oxford. My hon. Friend is of opinion that if a measure is introduced on the responsibility of Her Majesty's Government for the protection of life and property—that being the assumption on the face of the Bill—it does not much matter what we are able to prove—that it does not much concern us what are the provisions of the Bill—that they may be irritating rather than consoling, and ineffective for any good purpose—but that still it is our duty, as a deliberate House of Parliament, to give our assent to that Bill. Sir, to such doctrines I can by no means assent. I can understand, indeed, that on Motion for leave to bring in a Bill, or on the first reading of a Bill brought down to us from the House of Lords, that so much is due to the authority of Her Majesty's Government or the other House of Parliament, that it may be right in this House to consent to the introduction of such a Bill, and to wait until a still further stage for its examination. But that we should altogether agree to such a Bill in all its stages—that we should impose upon the people an act

of restriction without previous examination—that we who are to pass the laws of this country, are not to consider what these laws are—that we are not to consider the grounds on which they are based, and how far they are to be effective for their object; that, Sir, is a proposition which seems to me so totally contrary to all my notions of Parliamentary duties, that it is impossible for me to adopt any such principle. Sir, in commencing an examination of this Bill, I am tempted to take the course which a Minister of the Crown usually takes in proposing a measure of this nature. The Minister of the Crown, in proposing a measure to this House, frequently commences by desiring our clerk to refer to Her Majesty's Speech, and to read from that Speech some paragraph directing our attention to particular measures affecting the welfare of the country. In the present case, or at least on the present occasion, I think they could hardly take such a course, because I think that that very Queen's Speech affords an argument against further proceeding with the present Bill. In that Speech Her Majesty called our attention to

"The very frequent instances in which the crime of deliberate assassination has been of late committed in Ireland,"

And declared it to be our duty

"To consider whether any measures can be devised calculated to give increased protection to life, and to bring to justice the perpetrators of so dreadful a crime."

Now I do say that the delay of five months after such an announcement does involve this view, that the Ministers of the Crown, attaching, as I give them credit for doing, the greatest value to human life, and wishing for the security of life in Ireland, as in every other part of the United Kingdom, had not any very great confidence in the measure which they have brought forward, whether it be in respect to the grounds on which it is founded, or the provisions which it contains. Sir, it is, I know, said that the course of public business has prevented the earlier consideration of this measure; but it appears to me that had they attached so much importance to it, there were two courses open to them to have taken, and either of which would, I think, be more consistent with Parliamentary practice, and with the dignity both of Her Majesty's Government and of this House, than that which they have taken. The one course would have been this—that seeing that they considered life insecure in Ireland, seeing that at the same time they considered there was an insufficiency of food in the country, they had thought it right to introduce a temporary measure for the purpose of admitting the importation of food, and likewise that they had introduced a temporary measure for the protection of life, leaving the great question of the Corn Laws to be considered after these temporary measures should pass under the consideration of the House. But, supposing that they considered that it was necessary to combine a temporary with a permanent measure for the repeal of the Corn Laws, and that it was better to take the subject together, why then I think they must perceive that that measure must lead to protracted debates—that it must lead to vehement and continued opposition in its progress through Parliament; and that being so, then, I say, that their better course would have been not to advise Her Majesty to make any allusion to this subject in Her Speech from the Throne, but to have reserved themselves until the measure of the Corn and the Custom Laws should pass this House for going into the state of Ireland, and to have then considered whether it were still incumbent upon them to introduce a measure for the continuation of coercive enactments. By either of these courses, Her Majesty's Government would have avoided that which I must regard as the most serious inconvenience of our being now called upon to consider this measure under one or other of these imputations—either on the one hand of unnecessarily inflicting on Ireland a measure of unconstitutional restriction; or, on the other, of having delayed too long the consideration of a measure which Her Majesty's Ministers thought to be of such great importance that they advised Her Majesty to call our serious attention to it so long ago as the 22nd day of January last. Now, Sir, with regard to the measure, I am bound to consider the grounds on which it is proposed—the amount of crime, which is said to be the foundation of it. I am bound to consider in what manner Her Majesty's Ministers have treated that amount of crime. I am bound to consider whether the present measure affords that remedy which is likely to give increased protection to life, and an efficient check to crime; and, lastly, whether other measures of a different character might not be introduced more likely to reach the causes of the alleged insecurity. But, Sir, the noble Lord who holds

the office of Chief Secretary for Ireland, and who introduced this Bill, I own, gave me considerable embarrassment by the way in which he introduced it. We had had, at an early period of the Session, statements of dreadful murders, of murders committed in the open day, of persons going to church, of persons being in the performance of other duties, such as paying visits to their friends, cut off by the arm of the assassin; and I had conceived these were the facts to which Her Majesty's Speech alluded, and to which our attention was directed. The noble Lord seemed to me to dwell in detail upon a series of out rages which are not different in character, and I could not make out from his statement were different in amount, from the outrages in any year since I have been acquainted with the affairs of Ireland. There used to be a custom of Members of the Government receiving every week a statement of these outrages; and for six or seven years, I can vouch for it, the accounts received were marked with those peculiar characters which the noble Lord said marked crime in Ireland at present, and to which the noble Lord called our attention. He called our attention to the crime of sending a threatening notice to a man to compel him to marry a certain woman; that certain persons must be turned off, for instance, a milk-maid, because the farm servants did not receive milk in sufficient quantity. These are the noble Lord's outrages. They belong, undoubtedly, to a state of lawlessness and combination against the established authorities of the country; but they hardly form a sufficient ground for the measure now before the House. The noble Lord put it to me whether, having considered the measures of 1835 appropriate to the then state of things, I could consistently oppose the measure now before us. Sir, I will answer at once to that appeal. In my opinion, when this House is asked to go beyond the Constitution to look for remedies which are not in the ordinary state of the law, although that is far from being a conclusive reason against such a law, yet that every case must be tried upon its own merits. We must consider the circumstances of the period in which we are called upon to legislate; and it is no reason for carrying out any act of this nature that other Parliaments have given votes in favour of measures of a similar character. But, Sir, as the noble Lord has spoken of this, I beg leave to trouble the House with what has been my conduct upon the subject of measures of this kind. Soon after I first entered Parliament, in the years 1817 and 1819, stringent measures—the suspension of the Habeas Corpus Act, and what was called the Six Acts—were introduced as remedies for the disturbances in the manufacturing districts of England. I followed others, belonging to the political party to which I belonged, in opposing those measures. Many years afterwards, when I was in office, there were disturbances of a very similar character, according with political doctrines of an alarming tendency. But it appeared to me that it was better not to attempt any alteration in the constitutional law of this country. I came down to this House, and I asked for increased powers. I asked for an increase to the military, and I asked for power to increase the constabulary force. The right hon. Gentleman, now the First Lord of the Treasury, agreed with me in those proposals. I obtained his support. Those measures, together with prosecutions under the ordinary law, were resorted to, and the country was restored to a state of tranquillity. After the right hon. Gentleman opposite came into office, disturbances of a similar nature occurred in the manufacturing districts, perhaps still more alarming. The right hon. Gentleman the Secretary of State for the Home Department pursued exactly the course I had taken. He sent down an increased military force; he ordered prosecutions before the ordinary tribunals; and the country was restored to a state of tranquillity, without any resort, as in 1817 and 1819, to the Legislature, for the purpose of obtaining extraordinary powers. I was glad to see the right hon. Gentleman pursue that course. He pursued it with great firmness, at the same time with great conciliation, and his efforts were completely successful. Now, Sir, with regard to outrages in Ireland, which, as the noble Lord the Secretary for Ireland has put them, are by no means of an unusual or peculiarly atrocious character, it did so happen that in 1832, being in office, I had to consider the introduction of a severe law of coercion for Ireland. I did not agree with all the measures of that Government. With some of those I so disagreed that I determined at one time to resign my office. I was only induced to remain when I found my late lamented Friend, Lord Spencer, had come to the same conclusion as myself, that preventive measures were not sufficient, and that dis-

agreement would lead to the breaking up of the Government. Upon this we agreed, that it would always be open to us to consider of further measures of conciliation, and to introduce further remedies for the evils of Ireland. At the same time I agreed—I do not hesitate to say so—to a measure more harsh and more oppressive than the measure now before the House. I thought the extreme insecurity that prevailed to life and property in Ireland, the prevalence of almost a civil war on the subject of tithe, and the murders and assassinations which had taken place in consequence, were a justification of that measure. In 1834 that measure expired. In 1835 a mitigated measure was introduced, which met with the support, I believe, of nearly every party in this House. There was scarcely any opposition to the passing of the measure of 1835. But as I had occasion to state, when speaking to the House on the first reading of this Bill, when we introduced the measure of 1835, Lord Althorp at the same time introduced measures of conciliation. He had introduced measures for the abolition of church cess, for the improvement of juries; and he declared the corporations of Ireland should be assimilated in their reforms to the corporations of England and Scotland. In 1835 it was the declared intentions of the Ministers, who had then lately taken office, to govern Ireland upon principles more congenial to the feelings and affections of the great body of the people than had hitherto been the case. Full confidence was reposed in those Ministers—full confidence that the Bill which was then passed was entrusted to hands that would not abuse its powers. I may say that confidence was justified, for I believe that Bill was never put into operation. I cannot find from my noble Friend Lord Normanby, whom I have consulted upon the subject, that he ever put it in force. I asked him if it was not the case that persons expected he might use the power which it gave him. He said, so far from that, he believed the fact of the power being in his hands was entirely forgotten, and that the existence of the Bill was scarcely remembered by the great body of the people. The fact is, certainly, that from 1835 to 1840 the Bill was not put into operation; and in 1840, having to choose whether we would renew that Bill or not, we deliberately determined not to renew it, and we allowed it to expire; therefore, Sir, if my authority is worth anything as having voted for such a Bill in 1835, it is an historical fact equally conclusive in 1846 that in 1840 I did not propose the renewal of such a Bill. It was said, indeed, of that Bill, as I have heard it frequently said, that the terror of having such a Bill, and of the power being in the hands of Government, would operate to the prevention of crime. Now, Sir, in this respect, again I say, if there is any such influence to be exerted by a Bill of this nature, that advantage has been lost by delay. I can well understand a Bill suddenly introduced and carried at once inspiring a species of terror among malefactors; but when the Bill has been for five or six months under deliberation—when it has passed through a strong course of opposition, and it really does not seem to be insisted upon as a measure of importance — I say, that any such virtue which you can attribute to it, as a sharp remedy for disorder, is in great part lost by such delay. Now, Sir, as to the state of crime which this Bill is intended to repress. I think, in comparing crimes against the person, it is well to take the crimes in the whole of Ireland, in order, first, to see whether those crimes have generally increased. I have the returns here, containing the various numbers of offences; and with regard to some of those offences, I will compare the returns which are before Parliament in reference to former years and to the last year. The number of homicides in 1832, before the introduction of what was called "the Coercion Act," was 242; in 1837, 230; in 1840, 125; in 1842 (two years after an Act similar to the present Act had expired), 106; in 1845, 139; being a decrease of more than 100 from 1832, and an increase of 33 from the year 1842. With regard to the offence of firing at the person—in 1832 there were 328; in 1837, 91; in 1842, 74; in 1845, 138. With regard to the crime of attacking houses—there were in 1832, 725; in 1837, 606; in 1840, 229; in 1842, 337; in 1845, 483. With regard to conspiracy to murder—there were in 1842 only 4, and in 1845, 8. Of assaults with intent to murder, there were in 1842 3, and 1845 only 2. I think, Sir, it is plain from these, and from similar accounts with regard to offences affecting the person—because I do not take the number of threatening notices, injuries to cattle, and various offences of the kind, to be the subject of the Bill before the House, but of homicides, attempts to murder,

and firing into dwellings—there has been obviously no very great increase in Ireland between 1842 and 1845. Then said the right hon. Gentleman the Secretary of State for the Home Department, and the argument has been repeated in this debate, although outrages and offences have not increased generally throughout Ireland—and, indeed, the First Minister of the Crown spoke with satisfaction of the general state of Ireland—yet with regard to the five counties named, crimes against the person have very greatly increased. But, Sir, an admission fell from the right hon. Gentleman opposite, the First Minister of the Crown, upon this subject, which appears to me nearly conclusive as to the Bill of which he is the promoter. He stated the number of offences in Tipperary, Limerick, Clare, and Roscommon to have been 2,026 in 1845, and 3,013 in 1846; but that with regard to Leitrim the total number was 804 in 1845, and that in the five months of 1846 the whole number was 164. Is it that the criminals have become less audacious in that county? Let me observe that he goes on and makes a statement what the numbers would be for the year with regard to Tipperary, Limerick, Clare, and Roscommon; but with regard to the county of Leitrim he makes no such statement. Why, Sir, the numbers would be, instead of 804, only 396 for the whole year. What is the cause of this decrease? The right hon. Gentleman used these words:—

"In Leitrim there is an overwhelming military force, which it would be impossible to spare for other places; and there have also been on the part of the magistrates, and of the stipendiary magistrates, the greatest exertions, which have caused this improvement."

I say here is an answer to the right hon. Gentleman's whole case. Are we so ill supplied with a military force that we would not at once accede to a proposition similar to that which I made in 1836 to the House, to grant an increase of military force to the four remaining counties? Is it not better to have an increase of military force? Is it not better to excite the vigilance of stipendiary magistrates and of the constabulary force, than to shut up the people in their own houses in these counties? Have you not yourselves shown that with regard to the county of Leitrim the ordinary powers of the law are sufficient? and do you ask me to grant extraordinary powers when your own case is, that you have yourselves exerted the powers of the ordinary law, and in your hands they have been found sufficient? I say then, Sir, with regard to the ordinary law, let there be no want of exertion. If necessary, let those counties which require it be regularly patrolled. If the constabulary are not sufficient, have mounted patrols, as you had formerly in the neighbourhood of London, and take care that during the night the houses of the peasantry are not attacked or entered without the means of pursuing the offenders. Take every means of that kind. Employ the great and effective police force which you have in Ireland. Let no part of it be ineffective. Send more stipendiary magistrates there if it be necessary. Imitate your own example in England, and when you have found it with regard to one county in Ireland sufficient, do not ask for extraordinary powers. Then, Sir, the law as it at present exists gives very effective powers. I alluded, in speaking of this Act on its first introduction, to the powers given by the Whiteboy Act. I stated—and I beg pardon from the House for in any way repeating the argument, but it is necessary, in order to state the provisions of that Act—if you are obliged to have recourse to severe laws you should endeavour, as far as possible, to separate the guilty from the innocent—that the law by which you order every person to remain at home at night, by which you give to the constabulary the power of seizing every man against whom they said there were suspicious circumstances, when he was out at six o'clock on a winter's evening, or at ten at night in the summer, for the purpose of visiting a sick relation, or returning from a fair, or attending a funeral, was of itself a most harsh law; and that you ought to endeavour so to point your law, that it should be aimed only at the guilty. I stated that although you might not be able to convict persons at once of the crime of murder, yet that you might find certain indications of crime by which you might mark out the guilty, and which would hardly happen to be found together with innocence. Now, Sir, the Act which was formerly called the Black Act in England, and the Whiteboy Act in Ireland, does take those indications. The Whiteboy Act, as amended in 1775, punishes any person who—

"shall unlawfully compel, or by force or threats attempt to compel, any of Her Majesty's subjects to quit his habitation, farm, possession, or lawful employment, shall be guilty of felony, and suffer death."

That has since been mitigated by the Act of 1st William IV.; but the offender is still liable to transportation. By fourth section it is enacted that any person who shall, before sunset or after sunrise—

"maliciously injure the habitation or goods of any person, or shall forcibly take away any gun or sword, or other offensive weapon, or money, or cause the same to be delivered by threats or menace, shall suffer death as a felon."

This penalty has been repealed; but by the 1st Clause of this Act it is enacted, that—

"being arrested with any fire-arms, firelock' pistol, or any offensive weapon, or having his face or body disguised in any manner whatsoever, or wearing any particular badge, dress, or uniform not usually assumed by Her Majesty's subjects on their lawful occasions, shall use, assemble, or appear, by day or by night, to the terror of Her Majesty's subjects, guilty of a misdemeanour."

Now I say, these are punishments which come within the scope of the existing law; and if you employ your police and magistrates, you can hardly fail to find any persons who shall be out at night for the purpose of attacking houses or committing murder; and with these indications alone you are able to punish them in the one case with fine or imprisonment; and if they shall actually attack any house, it is in your power to sentence them to transportation. But, Sir, I have inquired into the operation of this law. I have inquired from many persons who have been familiar with its operation; and I have asked them in what manner it is that the law, when it is in existence, when it has been proclaimed by the Lord Lieutenant, has been put in force in any county in Ireland. I was told that the manner usually was this—that the constables took up a great many persons whom they found out at night; that those persons were afterwards tried by the magistrates, and their excuse of a lawful occasion was generally not believed: these witnesses being members of their own family, were held insufficient to prove their innocence. If they were persons of good character, they were not considered guilty, and were dismissed; but if, on the contrary, they were thought to be those who were usually guilty of offences, and usually concerned in these outrages, then the sentence of imprisonment was pronounced against them. According to the present Bill, a man may be sentenced to transportation for such an offence; but to whom do you give the discretion of the law? In the cases I have mentioned there is a certain offence, such as the wearing of a badge, the being armed, upon which the constable can rely. In this case, the offence is nothing but the exercise of a lawful right, which every subject of Her Majesty has, of traversing upon the high road at any time, by day or by night. Such is the offence. And then the persons who are the judges of it, be they magistrates, or, as in this instance, the judge and the jury, are to say what are suspicious circumstances; and if no lawful occasion is proved, the person is to be sentenced to transportation. I say, if by any exertion of the ordinary law you can refrain from using such an immense power as this, it is the duty of Parliament to refuse its consent to this Bill. But there are other considerations connected with this Bill, which I think very much demand the attention of this House. Whenever Bills of this kind have been brought before the House, it has been thought right to consider what are the grievances of Ireland, and to consider also in what manner those grievances might be the cause of many of the offences in Ireland. The noble Lord the Chief Secretary for Ireland, in proposing this Bill, stated to the House that a great proportion of those offences were not agrarian, and not connected with land; but no one can have attended to the testimony that has been given before repeated Committees, and also to that before Lord Devon's late Commission, without seeing that the greater part of the outrages of this kind in Ireland are originally connected with the possession of land, and arise from the poverty and distress of the people in their competition for the possession of land. I might give instance after instance, from the best authorities upon Irish subjects, as to this fact. I will not give many, but I cannot refrain from reading two or three. In evidence before Lord Devon's Commission, at question 7,641, Mr. Barrington (for twenty-five years Crown Solicitor of the Munster Circuit) says—

"That there being no manufactures in the country, the actual existence of the peasantry depends upon their having land; there are twenty persons to offer for every farm. The whole disturbances of the country depend upon the desire to keep it."

7,640—

"That it does not make a particle of difference whether the person put in is a Catholic or a Protestant; he is equally the object of their fury, and they would murder him equally."

Major Warburton (for twenty-two years on

the establishment of the Irish constabulary) says—

"That there is great deal of misery in every shape among the poorer classes, whether they have land or not; that a poor man, turned out of his land without the means of maintaining his family, will endeavour to get it by crime if he cannot by other means; and that such a state of things must necessarily involve people in crime, when they are reduced to destitution by being turned out of their lands without having any means of subsistence."

Colonel Shaw Kennedy (late Inspector General of the Irish constabulary) states—

"That the great groundwork of all Whiteboy offences is connected with land; that the increase of crime is attributable more to social than political causes. Political agitation and religious differences appear only to increase crime by affecting the social condition of the people. Whatever affects the tenancy of land will instantly affect crime."

Mr. Barrington says—

"The general cause of outrages at all times in Ireland is anxiety to possess land; such has been the case since 1761. Whilst I have been Crown Solicitor (for twenty-five years) I could trace almost every outrage to some dispute about land."

Mr. Tierney (Crown Solicitor of the Irish North-western Circuit for twelve years), says—

"That the prevailing cause of outrages is the letting and possession of land, and the dispossessing of the former tenants and occupiers."

Mr. Hickman (for upwards of twenty years the Crown Solicitor of the Connaught Circuit), says—

"That in Roscommon, Leitrim, and Sligo, the outrages arise from the taking of land."

Captain B. Warburton (stipendiary magistrate for fifteen years) states—

"That the murders and outrages that have lately happened in Galway have arisen from disputes about land, and that the principal and primary object of all associations among the peasantry is the taking and keeping of land."

Mr. Tabiteau (a resident magistrate) states—

"That something about land is the cause of all murders in Ireland, and that ejectment is synonymous with reducing the cottier tenant to destitution and misery."

Mr. Kemmis (Crown Solicitor for the Leinster Circuit, comprising Wicklow, Wexford, Waterford, Kilkenny, and Tipperary) says—

"That on the Leinster Circuit outrages are mostly agrarian, committed neither on account of religion nor of politics."

This, Sir, differs from the account given by the noble Lord the Secretary for Ireland; and it is evidence which I think this House can hardly neglect or deny. However ignorant many of us may be of the state of Ireland, we have here the best evidence that can be procured, the evidence of persons best acquainted with that country—of magistrates for many years, of farmers, of those who have been employed by the Crown—and all tell you that the possession of land is that which makes the difference between existing and starving amongst the peasantry, and that therefore ejections out of their holdings are the cause of violence and crime in Ireland. In fact it is no other than the cause which the great master of human nature describes, when he makes a tempter suggest it as a reason to violate the law:—

"Famine is in thy cheeks,
Need and oppression starveth in thine eyes,
Upon thy back hangs ragged misery.
The world is not thy friend nor the world's law;
The world affords no law to make thee rich:
Then be not poor, but break it."

Such is the incentive which is given to the poor Irish peasant to break the law, which he considers deprives him of the means not of being rich, but of the means of obtaining a subsistence. On this ground I say, then, if you were right to introduce any measure to repress crime beyond the ordinary powers of the law, it would have been right at the same time to introduce other measures by which the means of subsistence might be increased, and by which the land, upon which alone the Irish peasant subsists, might be brought more within his reach, and other mode of occupation allowed to him more than he now possesses. I know, indeed, the noble Lord (the Earl of Lincoln) has introduced within the last two or three days measures upon a very complicated subject—the law of landlord and tenant; but I think those measures should have been introduced at the same time with the measure now before the House. How is it possible for this House, upon such a subject, to be able to tell, from the noble Lord's enunciation of them, whether upon such a delicate subject such measures are sufficient? Other Gentlemen have proposed other schemes. My hon. Friend the Member for Stroud (Mr. P. Scrope) thinks that the Poor Law in Ireland ought to be extended so as to include outdoor relief. He thinks it should furnish some relief to the people of Ireland from the extreme pressure of poverty. I confess I do not expect that such a law would relieve the miseries of Ireland. I am very much afraid that it would fix it in the place where it now exists, and that instead of a remedy it would tend to perpetuate it. That scheme, however, deserves consideration; and to any well-considered measure

of this kind, the House would be ready to pay every attention. There is another source of benefit, namely, the cultivation of the waste lands. On that subject I do not see the difficulties which beset the propositions with regard to the Poor Laws. It seems to me some great scheme with regard to the cultivation, preparation, and tillage of the waste lands would somewhat abate the severe competition for land, and diminish the causes of crime. I have already stated, that in giving my assent to the first reading of this Bill, I went through many of the objections I had to it. I stated that especially with regard to the clause which enables the Lord Lieutenant to shut up all persons within certain districts from sunset to sunrise, I should offer to it my most strenuous opposition, and that I should propose its omission. Upon considering the Bill, and going over its various clauses, I find that if that clause is taken out, there is nothing of value in the Bill. If it should, in fact, be so mutilated or destroyed, the Government would not think it worth their while to persevere in passing such an enactment. There were clauses in the Bill, as introduced in the other House of Parliament, whereby certain districts were made liable to fines and rates if outrages prevailed in those districts. There are provisions of a similar kind in the Whiteboy Act. Such provisions may deserve consideration; I think they should be considered, though not introduced into this Bill, where at present they do not exist, but into some other Bill, and then taken into due consideration. But if any clauses are so introduced, I think they should be very different, indeed, from those introduced into a Bill that was before the other House of Parliament. If you introduce the collection of small sums of money, and make all the poor occupiers in a district liable to rates for the purpose of enforcing compensation for those outrages, you will be likely to raise such a resistance as was raised to the collection of small sums for tithes; your enactment will not answer its purpose, and it is far better to have some general enactment than thus to compel the poorer occupiers, by means of military and police, to pay their 2*d.*, 3*d.*, or 4½*d.*, on account of those outrages. Therefore, seeing that there is no essential part of the Bill to which I can give my consent, I think it is far better to offer my resistance to it on this stage than to reserve my objections to it for the next. Some persons say, most unreasonably I conceive, "If you have such objections to it, why did not you object to the first reading?" If I had taken that objection to the first reading, and said that I should be compelled to vote against the Bill, it would have been said that it was a most violent opposition not even to allow a Bill to come into the House that had been adopted by the Government for the protection of life and property, and agreed to by the other House of Parliament, including many political friends of my own. I could not, therefore, offer opposition to the first reading; but at the same time I took care to signify objections which, as I then stated, went to the very foundation of the Bill, and thus prepared the Government for my refusal of support. After the Bill had been read a first time, on the very day of its being placed among the Orders of the Day, I stated at once that to the second reading I should give my opposition. I oppose it, then, on the ground that there does not appear to me, in the general state of crime in Ireland, sufficient grounds for passing a measure of extraordinary severity. Her Majesty's Government have themselves shown that, by exerting the ordinary powers of the law, the increase of crimes may be met and checked; that with respect to the provisions of this Bill, while they are harsh on the people in general, they do not point out the criminals, and thus involve the innocent in punishment; that it has not been accompanied, above all, with such measures of relief, of remedy, and conciliation, affecting the great mass of the people of Ireland, who are in distress, as ought to accompany any measure tending to increased rigour of the law. But, Sir, other grounds have been taken. It has been said by a noble Lord on a former night, and by an hon. Gentleman to-night, that they, having no confidence in the Government, cannot give their support to a Bill of an unconstitutional nature. Undoubtedly, that is a fair Parliamentary ground for opposing a Bill of this kind; but I confess that if I had thought this Bill calculated to meet the exigency of the case; if I had thought a necessity existed for this Bill, and that it was wisely devised for its purpose, I have no such want of confidence in the Government as would have led me to withhold a vote for it. With regard to the few districts in which crime has greatly increased, Her Majesty's Government have held out to us no expectation that this measure will be accompanied or followed by other measures. That

ground alone is sufficient why I should refuse my assent to this measure. That I have no political confidence in the Government is no novelty, because for several years I have been obliged to form my own independent opinions, without binding myself to any measures of theirs upon their sole authority. And, Sir, let me say, I am fully justified in that course by the measures which the Government have introduced. Those measures, both with respect to England and Ireland, are a testimony, not a testimony in words, but a practical testimony, that in former years, as far as their opinions go, they were mistaken, and we were right. Their case, in fact, so far as concerns the measures they have introduced during the present year, is that the existing state of the Corn Laws produces increased crime and increased mortality. It follows that the course they themselves pursued for some years was so far mistaken as to have produced that disastrous consequence. Now, I am imputing no wrong motives to them; I am not saying they were perfectly persuaded in former years that their course was a right one, nor that they are not persuaded in the present year that their altered course is for the benefit of the country; but I use this argument to show that I am not bound at least by their authority, and that where I have differed from them, where I have had the misfortune to ask them to propose other measures, which they have refused to introduce, they have afterwards, by their conduct, allowed that those who on this side of the House urged those measures, took the wiser view of the interests of the country. And I know not why, supposing them to carry this Bill, and our opposition to be unsuccessful, they may not, on some future occasion, tell us that the arguments in its favour did not preponderate — that, in fact, we were right in our opposition to it— and that measures of relief, of remedy, of conciliation, not measures of coercion, were those which were required by the state of Ireland. Now, I have said I impute no wrong motives to their conduct; and although I may be thought rash, and have been thought rash, in the measures which I have introduced, and the declarations I have made, yet I trust I have been usually cautious in this respect; and that when in some altercation of debate, where motives might be wrongfully imputed to me, I did not impute motives to those to whom I was opposed inconsistent with a regard for their country. I feel in my own case, and the case of those who have acted with me, I have often heard motives imputed which I knew to be as wide as from here to Japan away from the actual motives which influenced myself and those with whom I acted; and therefore I should be unwilling to impute dishonourable motives to those who have now the government of the country. I think, if I must say what I have missed in the discussions that have taken place of late years in this House, compared with the discussions of former years, it is that while we were exposed for many years to every imputation against us—not, I must say, from the right hon. Gentleman the First Minister of the Crown, because he dealt as fairly as any public man in those imputations of motives, and when he did make an unjustifiable accusation, I remember he was always ready speedily to retract it—but we were exposed to imputations both from his Colleagues and those who supported him in former years. With an altered course of policy there has not, I regret to observe, been a due alteration of the spirit which animated them. Sir, when we attempted, amidst the heats of a religious agitation, seeing the numbers of people in this country who were living and bringing up their children in miserable ignorance—when we attempted a scheme of improved education, we were slandered. A state of alienation existed between the people of this country and of Ireland; when we attempted to knit in bonds of affection the people of those two countries, and to show that we thought reliance ought to be placed upon Roman Catholic Irishmen as well as upon Protestants, we were slandered. When we attempted, on the ground that there was a greatly increased population in this country, to relax those protective laws that prevented the introduction of food into this country, we were slandered. Upon all these subjects Her Majesty's present Ministers have changed their course. The measures that we proposed with respect to education it is their boast that they have carried further. The principles that we professed to adopt towards Ireland they have adopted; and they have attempted, in the last and the present Session, to act upon these principles. With regard to the admission of food from foreign countries, they have gone far beyond what we proposed. Well, Sir, giving them every credit for the honourable motives upon which they have acted, thinking that their course is an im-

proved and a wiser course—now, when the great measure upon which we mainly supported them has quitted this House, I will more confidently say so—I did wish some expression of regret that honourable men, doing that which they thought was their duty to the country and to the people of these realms, should have so long been the object of slander and calumny, when they who embarked in those slanders and calumnies now admit we were in the right. Why, Sir, the right hon. Gentleman opposite, the Secretary for the Home Department—and I allude the more readily to him because he has not yet spoken in this debate—accused us, when we were going out, of being like pirates who set fire to the ship; and it now appears that, having got possession of the ship, they have lived upon the stores which we left. They have guided themselves by the charts which we have deposited in the cabin; they have steered by the compass which we placed on the deck. And having so done, I think it would have been hardly too much if they had on some occasion or other, on some night or other out of years of debate, expressed some regret that we had been made the subject of so much reproach for the course we thought ourselves bound to take—if they had considered that it was no light matter to be charged before the country, and with a very considerable impression resulting, as promoting measures that tended to set up a Popish Government in this country, instead of our ancient Constitution — as promoting measures that tended to rob and destroy the agricultural interest. For my own part, I have felt deeply, I will not deny, both the buoyancy and the success of those measures; and seeing measures founded on the same principles succeed in this House, and I trust succeed in Parliament, I think it would have been no more than justice to confess that we were not justly liable to those invectives for pursuing a course which, in effect, was only seeing what was required a little earlier than Her Majesty's Ministers. Why, the hon. Member for Newcastle-under-Lyme (Mr. Colquhoun), in alluding to me to-night, spoke of measures—I forget what his phrase was, not dangerous innovation, but some equivalent of that sort, which, he said, I was very apt to promote. Now I will tell that hon. Gentleman I think he is totally mistaken with respect to the character of the measures which tend to preserve all the institutions of this country. I am of opinion, following the great light of Mr. Burke, that the safest and best course is to reform and to preserve. I believe that a denial of all reform does not lead to preservation; it only leads to a more heedless, a more rash, a more precipitate innovation. Why, the hon. Gentleman, perhaps, thought it very unwise and very rash in me to propose that the great boroughs of this country—Manchester, Leeds, and Birmingham—should have Members to serve in Parliament. But was that a rash innovation? Would it not have been been better to have admitted the great manufacturing districts of this country to representation in this House, when they had increased to such strength and importance as they had reached in 1830, without the necessity of measures of that kind being carried with Bristol exposed to plunder, and Nottingham Castle in flames? Would it not have been more conservative, to use a phrase which has been a favourite of late years, to have reformed in good time? And will it not, let me ask, be more conservative, instead of carrying further this Bill, to fix your sober and honest attention on the grievances of Ireland? There are grievances of all kinds, more or less conspicuous at different times; but those which I conceive at present to hold the most prominent place are the social grievances of Ireland. Would it not be worthy of you to consider whether, by some such plan as I have mentioned—by increasing the quantity of land accessible to cultivation in Ireland, and encouraging the tillage of the wastes—by securing at the same time the lives and properties of those who reside on the land—is it not worth while to consider whether you may not prevent in some future year a dreadful outbreak, when indeed you will hastily resort to measures of remedy and conciliation; but which measures will lose half their practical effect and almost all their moral effect? If this is the case, then, it is not always the most conservative course to resort only to measures of coercion, and to put by and delay measures of reform. Depend upon it that maxim of Burke is a sound one; and you cannot attend to it too closely, if you desire to preserve the institutions of the country. I wish as much as any man—no man more so—to preserve these institutions; but I know there are times when men look into the faults, and spy narrowly into the defects, of all those institutions; and I should wish betimes to clear them of

those defects, and to show that this Legislature is worthy to be trusted and honoured, and that we need no volunteer associations to point out to us what is the path of our duty. Depend on it your authority will be greater, reverence will be greater, and love will be increased. The noble Lord the Member for Lynn cannot vote for this measure, because he wants confidence in Her Majesty's Government. I understand there are Gentlemen—I have heard it, and seen it circulated in newspapers—whose confidence in the Government is so extreme that, although they disapprove this measure, although they think it will be ineffective—that its object is unnecessary and its provisions harsh—will yet refrain from opposing it on account of that overweening confidence which they have in the commercial policy adopted by Her Majesty's Ministers. Now let me put it to such Gentlemen, if such there be, how our case stands with respect to Ireland. There is a numerous body in Ireland—numerous even among her representatives—which says that no legislation of a United Parliament can devise fit remedies for Irish grievances, and that it is in a domestic Parliament alone that fit and wise legislation can be looked for. There are others, I fear, who, if I read rightly their sentiments, as expressed in a newspaper called the *Nation*, which has great circulation in Ireland, who go beyond that question of the legislative Union—who would wish, not merely to have such a Parliament as that which it was the boast of Grattan to found, and which legislated under the sceptre of the same Sovereign as the Parliament of Great Britain; but who defend the resort to every species of violence—who look to disturbance as the means, and regard separation from England as the end. You are legislating in the faith, you are legislating under the eye, of those parties if you pass this Bill; and you can say each of you who votes for it, or each of you who does not oppose it, that he considers it ought to be allowed to pass because it is for the benefit of Ireland, and that life cannot be secure in Ireland without it—that, in short, the case is completely made out for such provisions as these, and none others are required—why, at least, you are acquitted in your own consciences, and you can say to Ireland—"We have endeavoured to represent you, and we have legislated for you as if we had sat for Ireland, and we are considering our interests alone." But if you say anything less than this—if you say we have no confidence in this measure, which we consider a bad and unconstitutional measure, but notwithstanding we allowed it to pass because there were other measures more especially relating to England, and for the benefit of England, which were going along with it, or had but a short time preceded it—look what an argument you give to the Repealers and those who are looking still further. They will say, "You miserable peasants, shut up from sunset to sunrise, obliged to keep within your miserable hovels; if you are found looking for a stray cow, or visiting an acquaintance who lives in a cottage a few yards from you, you are liable to transportation; but it is not for the security of the lives of the people among whom you live, but it is because English measures were passing through Parliament at the same time; and it is for the sake of those measures that these restrictions are inflicted upon you. Now, tell us, aye or no, is the Parliament of England and Scotland a fit Legislature for Ireland? Will you not seek for a domestic Legislature—will you not use your utmost efforts to obtain Repeal?" Why, what answer would there be to such an appeal but a unanimous shout, a unanimous effort of the people, and a declaration, "We have not justice, we are determined to obtain justice, and it is now proved to us it is not to be had of the Parliament of England." I say, let the House beware of supplying such an argument as that. If you wish to maintain the Union—if you wish to improve the Union, to make the Union a source of happiness, a source of increased rights, a source of blessing to Ireland as well as England, a source of increased strength to the United Empire, beware lest you in any way weaken the link which connects the two countries. Do not set so far apart the governor and the governed. Do not let the people of Ireland believe that you have no sympathy with their afflictions—no care for their wrongs; that you are intent only upon other measures in which they have no interest. I say, if you are persuaded that this measure is right, pass its second reading, and pass it through Committee; but if you are not so persuaded give no sanction to it; let it at once be rejected; because the loss of confidence which would follow from any belief that such was your conduct and such was your maxim—any such loss of confidence would not be temporary, it would not be

repaired in a year, or five years, or ten years, but it would be an irrevocable loss.

MR. DISRAELI: Sir, if the noble Lord has keenly felt the unjust attacks of those who supplanted him in power, he has at least the consolation of receiving a noble revenge; and each time his pupils rise before the red box to whose authority they have succeeded, the noble Lord must, I am sure, feel that though he has not yet recognized on their part that spontaneous gratitude which his generous sympathies might alike claim and yield, yet he must be conscious that he is receiving from right hon. Gentlemen and from noble Lords ample compensation for the injustice which the nation now universally acknowledges that he has received at their hands. Sir, the noble Lord has treated this subject with an eloquence habitual to him whenever he touches upon the subject of Ireland, the case now before us. I for one do regret, and I do not refrain from expressing my regret, that the fate of a Ministry is supposed to depend, after all that has occurred this Session, upon an Irish question. This, however, I feel, not only that it was not owing to any of the Gentlemen who sit upon these benches that the circumstances which now engage us have occurred, but that we have shown ourselves upon the earliest occasion, and on the first opportunity, ready to discuss the question now before us; and I think I may say that whatever may have been the policy of the Government with respect to other questions, and however enraged and outraged may have been the feelings of many on this side of the House as to the general policy pursued by Her Majesty's Ministers, I feel I am justified in stating, that from the very first, and on the earliest opportunity, we evinced a desire not to treat in a party fashion the measure now before us. Sir, it is impossible for us to forget at the end of June the circumstances under which this measure is brought forward. This measure is an unconstitutional measure, as is now universally acknowledged; and this measure is an unconstitutional measure with respect to the country which, of all others, requires to be treated with consideration and delicacy. Then I may ask the House whether the manner in which the subject was brought under consideration in another place; whether the manner in which this measure was there brought forward, originally professing to be permanent, and immediately announced as temporary; whether the manner in which this temporary measure has been finally brought under our notice—recommended to us for that temporary character and for the exigencies of the circumstances which called for it, then studiously concealed from our notice till its existence was almost forgotten—entitle this measure to our confidence without a scrutiny; and whether these circumstances would not be at any time calculated to occasion suspicion? For my own part, I should be under any circumstances loath to join in passing a Coercion Bill for Ireland. If I saw such a Bill recommended by a majority of the Members for Ireland, on whatever side of the House they may sit, I should certainly come to its consideration with feelings very different to those with which I entertain this measure; which all the Irish Members opposite oppose as tyrannical; and which most of the Members for Ireland behind me denounce as futile. But, Sir, I cannot forget that this is not the first Coercion Bill which Ireland has been supposed to require, which we have passed, and which have been so ineffectual that there have been repeated appeals to us for novel powers. Although I am far from saying that peculiar circumstances in that country may not occur to require the exercise of extraordinary powers by the Legislature of the United Kingdom, still I think it cannot be denied that the time has arrived when it will be impossible to consider a Coercion Bill for Ireland apart from the general circumstances that disturb society in that country. If this be true, and if this position be, as I believe it is generally, if not universally recognized; if it be true as regards Ireland, as it is true as regards England, that we have been for years discussing questions of municipal authority and of political right, whilst the condition of the people has been neglected; if in Ireland, as in England, this sovereign subject has been postponed throughout our public discussions, I for one, am not prepared, under any circumstances, to support a Coercion Bill which shall stand isolated, and be taken into consideration without reference to the social state of Ireland generally; I ask the House, whether the general grounds which would have at an earlier date justified the opposition to this Bill, have not been further increased by the conduct of the Government in its prosecution? I will not trouble the House for a moment

with the memoranda which are at hand; but let me recall to the recollection of the House some remarkable facts. This Bill was recommended to Parliament on the 22nd of January; it was ordered to be printed on the 16th of March; it was read a first time on the 1st of May; and it was proposed to be read a second time on the 2nd of June. If this be the way they deal with a measure which has been described by the noble Lord the Secretary for Ireland as temporary, how would they attempt to pass measures which they intend to be eternal? Now, Sir, while the excuse of Government was the absolute necessity of passing their economical measures, I find that on May 5, the House adjourned at nine o'clock; on the 7th, at eleven; on the 21st, at half-past seven; on the 26th, at half-past seven; on the 28th, at a quarter to eight. These were not Government nights, but they were nights in which Government business is sometimes taken. But on five Government nights the House adjourned at an early hour. All this was before the first reading. When the House met again on Monday, April 20, there was no House. After the first reading of the Coercion Bill, on May 22, we had the Factories Bill, and not the economical measures. On the 25th, we had a Committee of Supply. On the 29th we had the Budget and Supply; and on June 5, the Poor Removal Law. Well, then, not admitting, which I cannot do, that the economical measures of the Government, however great and important they may be, are so important and so urgent as a measure for the protection of life, and which they described as temporary in its operation, I have shown that the House did not sit on ten days, and that it rose early on five days, in which measures might have been brought in for the protection of the life of Her Majesty's subjects. This is the last memorandum with which I shall trouble the House. On the 20th of April, that celebrated day on which there was no House, I find this among the Orders of the Day:—"Adjourned debate on the First Reading of the Protection of Life (Ireland) Bill, before the other Orders—Sir James Graham." The House was not made on that day, forty Members not being present when the Speaker took the Chair. On the 22nd April the House was occupied with the Friendly Societies Bill. On the 29th of May we had the financial statement; and on the 5th of June the Poor Removal Bill had precedence. It will be admitted, I think, by every impartial person, that however wrong we may be in our impressions or suspicions, we have a *primâ facie* case for coming to the conclusion that there has not been an earnest, even if there has been a serious intention on the part of Her Majesty's Government in forwarding this Bill. Indeed, the papers just laid before the House, in this age of statistics might be called the statistics of shuffling. No reason has been adduced by Her Majesty's Ministers—no circumstances have existed during this Session which can account for this delay—which can account for the fact that in the month of June we are asked a second time only to read this Bill. Now, Sir, I do not intend to enter into the merits of the Bill itself. But though I have heard many eloquent and able speeches to prove that the state of Ireland is bad, that five counties are greatly disturbed—though Her Majesty's Ministers, and especially the Secretary for Ireland, have made elaborate calculations of the outrages committed, which may be all true; yet, Sir, one is reminded that to the majority of those outrages the Bill does not apply. At the same time, while the state of Ireland is dwelt upon, Her Majesty's Ministers hold out the hope that the state of society in Ireland is at this moment in a situation of great amelioratin. According to the right hon. Gentleman the First Minister of the Crown, there is a deep feeling of gratitude in Ireland for the introduction of Indian meal into that country. I think the noble Lord the Secretary for Ireland told us that this feeling pervaded the wilds of Connaught and the wilds of Munster, and that the distribution of Indian meal was not only attended with present beneficial results, but that it would have an important bearing on its social condition in future. The noble Lord hoped the Irish people would look back hereafter with gratitude to the feeling entertained towards them by a paternal Government. It is satisfactory to find that there are circumstances of so ameliorating and kindly a description at work; but in the very same newspaper which contained the noble Lord's speech—I speak of a great organ, the only one which is generally favourable to the measures of Her Majesty's Ministers, though I believe it is not personally favourable to Her Majesty's Ministers themselves—I mean *The Times*, on the very day in which the speech of the noble Lord appears on

the advantages of Indian meal in the wilds of Munster, I find this account of a mutiny in Limerick gaol:—

"The war against Indian meal has extended from the workhouse to the gaol of Limerick, and its introduction as an article of food had well nigh led to serious consequences. In pursuance of a resolution of the board of superintendence, sanctioned by the Court of Queen's Bench, the breakfast dietary of the prisoners has been changed from oatmeal to Indian meal stirabout. It was served out for the first time on Wednesday, when every prisoner, male and female, refused to use it. The number at present confined is 107, and, displeased at not having the former dietary to which they were accustomed, all refused to do the usual prison work, notwithstanding the remonstrance of the governor, Mr. Woodburne, and the Roman Catholic chaplain, the Rev. Mr. Bourke, whose advice they scoffed at. Shouting, yelling and whistling were heard in all the yards. On Thursday morning the prisoners evinced the same obstinate defiance, and would not work. The prisoners swore vengeance against those who introduced the new dietary, and said they would die to a man, sooner than use it."

I need not trouble the House with all the details, but it is stated "that a terrific uproar prevailed." This, I believe, is by no means a solitary case; and when the Coercion Bill is opposed, and we are told, as an argument by which we ought to accept it, that though the Government are going to rule five counties by coercion, they are going to do what will create a deep feeling of gratitude in the wilds of Munster, it is, I think, necessary we should inquire whether there is any better foundation for this report than for the famine in Ireland. Sir, the First Minister told us there was great inconsistency on the part of the noble Lord the Member for Lynn, inasmuch as he voted for the first reading of this Bill, and opposed its second reading. Now the reason which the noble Lord gave for this change in his vote—that he had no confidence in Her Majesty's Government—must be sufficient, one would think, to stop all argument, and to put an end to all discussion on this head. But I am not willing that this particular instance of conduct on the part of the noble Lord and those who vote with him should be misunderstood, or that we should be supposed to be influenced merely by that feeling of want of confidence in Her Majesty's Government which is practically avowed by many of us. I say that never has an individual acted towards a Government with more fairness, or given them more exact notice of the course he intended to pursue, with respect to this measure, than the noble Lord. It is three months ago since the First Minister applied to the noble Lord, through the Secretary of the Treasury, to know what he intended to do with regard to this measure. I need not refer more particularly to this subject, because a minute was drawn up by the noble Lord which has been read to the House in order that there should be no misconception on the subject. I say that that minute has been observed not only to the letter, but in the spirit. I cannot therefore admit that any argument against the consistency of the noble Lord can be maintained by this allegation of his conduct with respect to this Bill. It is unnecessary to dwell upon it, because the facts are open, are known, are precisely laid down; and no impartial person can read that document, whatever they may think of the policy of the noble Lord, and deny that the noble Lord has fulfilled his engagement, not only in a just but a generous and complete spirit. Sir, I am not disposed to admit that that other allegation brought against the consistency of the noble Lord by the right hon. Gentleman in respect to his vote on the Factories Bill was better founded. Two years ago, Her Majesty's Government, of which the noble Lord was not only a constant, but, as it has been admitted, a firm and disinterested supporter, brought forward a Bill to restrict and regulate labour in factories; and the noble Lord not only supported the Government, but his vote proved that he was favourable to the restriction of labour in factories. There was an Amendment made to the Bill to restrict labour in factories further, and the noble Lord voted for the original Motion of restriction; but that did not preclude the noble Lord or any hon. Gentleman, when two years had elapsed, when it was found that the restriction of labour did not produce the injurious effects that were contemplated, from not taking the same course, following the same career; and when an hon. Gentleman opposite, most conversant with the subject, himself a master manufacturer, brought forward a measure to still further restrict labour in factories, was there anything inconsistent in the noble Lord voting for that measure? And, yet this is called by Her Majesty's Government, "inconsistency." This is the public conduct which is adduced as a parallel to the conduct pursued by Her Majesty's Government, upon a great public question, this Session. The right hon. Gentleman says—"I have changed my opinion: I

have changed my policy. But are you the person to blame me? Are you the person to have no confidence in me—you, who changed your opinion on the Coercion Bill, who voted for the first reading, and mean to oppose the second reading—you who voted against the restriction of labour two years ago, and with infamous inconsistency, not a year ago voted for a still further restriction?" It is an hallucination on the part of Her Majesty's Ministers to suppose that they can justify their conduct in the measures they have brought forward this year by allegations of such inconsistency in individuals, even if such allegations were justified. The noble Lord, even if he had changed his opinions on the Coercion Bill, and even if he had changed his opinion on the Factories Bill, has violated no confidence—he has betrayed no trust; and it cannot be said of the noble Lord that he got into Parliament by pretending to have different opinions on the Factories Bill than those he holds now. It cannot be said of the noble Lord that he with practised duplicity supplanted a candidate on the hustings by promising to vote for the very measure he knew he was coming to Parliament to oppose. It is not that the right hon. Gentleman and his friends have changed their opinions on a question of great public policy—that is open to all men—but what we say of the right hon. Gentleman is, that he got into power by professing opinions contrary to those which he now upholds; and that he turned the noble Lord opposite and his friends out of power because they were about to practise the policy which he now pursues. And we do not bring forward this merely or principally as a moral imputation against the right hon. Gentleman; we are perfectly ready that he and his Colleagues should settle the question of moral conduct with their conscience, as they have to settle, and may have to settle, many things; but what we say is this, "You are injuring us, you are injuring Gentlemen opposite, and the country, because in the course you are pursuing you are striking at the root of the Parliamentary Constitution of England." We say this, that opposition founded upon definite principles is as much part of the English Constitution as King, Lords, and Commons; that a powerful Government may be a great thing and a very advantageous thing for a nation, but that a powerful Opposition is as necessary to the good government of this country, to the maintenance of our liberties, and the elucidation of great principles of policy, as a Government however strong, however eminent the talents of the individuals who form it, or however distinguished or adroit in Parliamentary debate. This is the charge we have always brought against Her Majesty's Ministers. It has nothing to do with the disappointment, however just, of a few individuals, or of any party in this House; but it is the cause of the great body of the nation, who are interested in the intelligible position of public men, and who feel that it is for the welfare of this nation that that green table should divide different opinions as well as different individuals. We are not to be met, we who make this charge, by telling us that we changed our opinions about the second reading of the Coercion Bill, or the Factories Bill. The quarrel is great, it is a national quarrel, not an individual one. It is not a miserable squabble between individual Members of Parliament, and we are not to be answered by a Secretary of State or the First Minister going to that red box and telling us, "Do not remind us of the past. It is very true that we entered this Parliament merely as private Members, and that our representations and your confidence made us Ministers of State. It is very true that we have acted exactly contrary as we promised. But all this is forgotten."

"Sed tu oblitus es
At Dî meminerint, meminit fides fides."

And I tell the right hon. Gentleman and his friends, though they may have forgotten all this, the violated principles of political morality have not forgotten it: it is remembered by the outraged faith of England. Now, I will give an instance from the speech of the right hon. Gentleman the other night of the system—no not the system, but the conspiracy—carrying on against the Parliament of England—against the frank and honourable manner of governing England by decided principles of policy. I take the words of the right hon. Gentleman upon a most important and interesting subject, and if he can satisfactorily explain, then I shall not only be satisfied, but surprised. I am speaking of the right hon. Gentleman's conduct at the commencement of this year, when he was vindicating it with the highflying tone which late at night he knows how to assume. He said—"I had to choose between organizing a decided and interminable opposition to all change

with respect to the Corn Laws, and undertaking—if the noble Lord felt himself unable to undertake it—the foundation of final legislation on the subject." Now, nothing could be more constitutional, nothing more Parliamentary, than this position of the right hon. Gentleman in his speech of Friday night. He was either to stick to his principles, or, if he thought they were wrong, he was to give the noble Lord permission to carry his own principles into action; and if the noble Lord had not the power to do that, then the right hon. Gentleman, in a most constitutional manner, said, "I had a right to change my opinions if I thought necessary; and, if the State required it then, I was prepared to carry those principles into effect." Now I want to know, if this be an exact description of the conduct of the right hon. Gentleman; if he felt it was his duty utterly to oppose all change, or to give permission, according to the genius of our Constitution, to the noble Lord to carry those principles into action, how was it that the right hon. Gentleman, a week before he gave this opportunity to the noble Lord, attempted to induce his own Cabinet to carry those principles into effect? I want this answered. I asked the question before, and the right hon. Gentleman called it "bandying personalities." But, a few weeks after, he who never forgets the necessity of a Parliamentary explanation in the long run, informed us that he was going to explain the whole circumstances. I listened with profound attention. It happened, by chance, that I sat nearly opposite the right hon. Gentleman. I am certain that no words which fell from his lips escaped my ears; and this I know, that he spoke on the subject for nearly an hour, and his statements were infinitely interesting. Twice he told us that he was going to explain all, and finally he dazzled the eyes and ears of the House by reading them a secret and confidential State Paper; but the slightest approximation to a specific explanation of the great fact—that the right hon. Gentleman never gave; he has never given it; and that we wait for. But why do I remind the House and the country of this mysterious and inexplicable passage in the conduct of the right hon. Gentleman now? It is, that he finished his speech on Friday night last by saying—

"If it is asserted that I wished to interfere in the settlement of this question by the noble Lord opposite, that is the foulest calumny which the vindictive imagination of a political opponent ever dictated."

The vindictive imagination of a political opponent dictate this calumny! Why, I find it in the reports of the debates in this House, I find it in the minutes of his own Parliamentary explanations; and he who described that imputation as the foulest calumny of a vindictive imagination, was describing the conduct which he had himself confessed. I have made these observations on what I will venture to call the attack the right hon. Gentleman has made on the noble Lord near me as to his political consistency. As far as his political consistency is concerned, my noble Friend is ready to pit his against that of the right hon. Gentleman. But I cannot for a moment admit that the great controversy which is going on before the House and the country, which touches the very foundation and genius of our Parliamentary Constitution, is to be degraded to a personal quarrel. That is the point which I put to the House, and which I leave to their grave and honest consideration. But then the right hon. Gentleman, determined, I suppose, to put an end to the ambitious career of my noble Friend, felt it necessary to make another attack on him. I wish to be quite exact, and I will quote the right hon. Gentleman's own words. He said—

"That the noble Lord had assumed, for the first time, a license in debate, a license that was injurious to the cause of legitimate debate."

And the right hon. the Secretary at War also admonished the noble Lord on the previous night, and reminded us in tones of indignation, that—

"We had been addressed in language never before used in Parliament, and which he hoped would never be made use of again."

It seems the language of the noble Lord was too strong. It was not Parliamentary. And, above all, my noble Friend's describing Gentlemen in office as janisaries, appears to have excited, as it does now, the indignation of hon. Gentlemen opposite. Sir, I observed on that occasion, notwithstanding the indignation of hon. Gentlemen opposite, that you did not think fit to interpose; and, Sir, when I remember the language that has been used in this House by men of great light and leading, by the greatest statesmen and orators that England has ever produced, I am not at all surprised that you did not interpose. And, Sir, I only regret that those who I suppose are the new generation to which

the right hon. Gentleman referred, appear not to have that acquaintance with the Parliamentary history of their country which it is the duty of a Member of Parliament to have. Now, I will not trouble the House with a long or even a familiar extract: I am going to read a short passage from a speech of one who may fairly be described as the greatest Parliamentary orator that ever existed in this country; and I do so out of respect to the noble Lord the Member for London, who is an admirer, and, in some degree, the successor of that distinguished man. Sir, when I heard the language of my noble Friend, who spoke without any previous communication with me—[*a laugh*]—I mean, of course, as to any particular expressions he used. Hon. Gentlemen opposite seem to have found some mare's nest. I hope they will find it amusing. But I think they will find that they have no cause to laugh.—Sir, there is on record a speech of Mr. Fox—the greatest he ever made—from which I would quote a very short passage. I think it may not be unprofitable for me to read it to the House, for these are mealy-mouthed times, and it is well for us to know, how in the great days of Parliamentary struggle—in the days when there were giants—Ministers and the opponents of Ministers expressed themselves in Parliament. It is from a speech of Mr. Fox that I am about to quote. It seems that Mr. Pitt had spoken in the debate, but his speech is not reported. In a note, however, it is stated that he had reproached Ministers with basely clinging to their offices. What answer did Mr. Fox give to the charge? He said—

"And once for all, let no man complain of strong language. Things have now arrived at such a crisis as renders it impossible to speak without warmth. Delicacy and reserve are criminal where the interests of England are at hazard."

This, Sir, was the language used by Mr. Fox, then leader of the House of Commons, and virtually Prime Minister. He went on to add—

"The various points in dispute are such as strike to the heart, and it were unmanly and pusillanimous to wrap up in smooth and deceitful colours objects which, in their nature and consequences, are calculated to fill us with a mixture of indignation and horror."

[Mr. S. WORTLEY: Hear, hear!] The right hon. Gentleman, the Judge Advocate, it seems, is not satisfied. I am reading the whole of the passage, because I did not wish to give what might appear to be a garbled extract. The passage I more particularly refer to is this: Mr. Fox continued—

"But for God's sake strangle us not in the very moment when we look for success and triumph by an infamous string of bedchamber janisaries."

And the rest of the right hon. Gentleman's speech was couched in language almost equally strong. I remember a similar passage in a speech of another great statesman, Mr. Grenville, in which he spoke of his being "opposed by persons in office, who were sent, like janisaries, to strangle or despatch his Bills." Why, Sir, I want to know what language my noble Friend used was worse than this? I will not read another passage which I have, because I have given the key which I have no doubt many Gentlemen will follow up. But one short passage I may give from a speech of Mr. Fox. He said, speaking of his opponents—

"The whole compass of language did not afford words sufficiently strong to mark the contempt he entertained for their conduct—their impudent avowal of political profligacy, as if that species of treachery were less infamous than any other. It was not only a degradation of a station which ought to be occupied only by the highest and most exemplary honour, but they forfeited by it all claim to the character of gentlemen, and were reduced to a level with the meanest and basest of the species."

And yet the Secretary at War gets up and tells us that we use language that was never used in Parliament before, and which he hopes will never be used again. Is it come to this, that we are to be lectured by the Secretary at War? I recommend him to get the speeches of Mr. Fox, and to study them day and night; his nervous and masculine eloquence will not suffer by the perusal. I now approach a subject, to which I cannot allude without unaffected pain. [*Laughter.*] Sir, there may be some who will treat with derision the memory of a great man; but, I confess, whatever may be my feelings on the conduct of any individual, if he have been a distinguished citizen of this country, particularly if he has been an illustrious Member of this Senate, and particularly if he has left us for ever, I would not receive an allusion to his memory with the miserable sneer which I heard just now. Soon after the noble Lord, the other night, had used language which, although strictly parliamentary, because justified by the greatest authorities, appeared to have astonished the First Minister, and astounded the Secretary at War, he made other allusions which touched some secret sore.

The noble Lord the Member for Lynn, I say it in his presence, for I know he is superior to any petty offence on the subject—the noble Lord, if he has one characteristic stronger than another, it is his total absence of affectation and pretence. The noble Lord never comes here but he always tells us that he does so most unwillingly, and that he has been pressed against his will into the position he now occupies. He always tells us, "I am no ripe scholar, I am not a practised statesman, I am not an orator; cannot you get some one else to lead you than me? I was bred a soldier; I never aspired to more than the reputation of a high-spirited and honourable English gentleman." I must say it not in his praise; for, I think, with his great abilities and his high station, it is a deficiency in such a man; but the fact is, that he is not ambitious. Any one who knows him intimately, knows that the idea—and it is a legitimate idea—of his rising in the State is foreign to his nature, and never entered his mind. The noble Lord says it was once his happiness, and it is still his pride, to have filled the humblest situation of a political career near to a great Minister; and from that period he has not sought nor wished to occupy any office, however exalted; and even the right hon. Gentleman (Sir R. Peel) has admitted, that the noble Lord was his constant but pure and disinterested supporter. The noble Lord may have expressed himself with unusual warmth and vigour. I am not sure, however, but the racy vigour of his brave honesty is not worth all that pompous plausibility, and all that solemn adroitness—all that "damnable iteration" of stale sophistry and frigid commonplace which are now held to constitute modern eloquence, the noble Lord, speaking with earnestness, and remembering his early position, the only position in public life which he ever aspired to, the humblest position which a political career can offer, near a great Minister, and one to whom he was bound by the dearest and nearest ties—the noble Lord stated that the right hon. Gentleman had hunted to death Mr. Canning—the noble Lord stated, that in the year 1829 the right hon. Gentleman had admitted, or rather announced, that in the year 1825 he had informed Lord Liverpool that what was called the Catholic question must be settled—that it was no longer possible to resist those claims—and that, if they could be settled by his leaving office, he was prepared to make the sacrifice. The noble Lord, remembering the right hon. Gentleman's conduct in 1827 to Mr. Canning—remembering the effect which that conduct had on the career—probably on the life of Mr. Canning—the noble Lord taking the position laid down by the right hon. Gentleman himself, that it was base in a Minister to conceal a change of opinion, asked him how it was that when in 1825 he changed his opinion on the Catholic question, in the year 1827 he rose in that House and made an explanation with respect to the causes of his severance from Mr. Canning, which he never would forget. The right hon. Gentleman made an answer which I need not recapitulate, but which I recapitulate only from a desire not to be unfair towards the right hon. Gentleman, because it will be in fresh in the recollection of every one who listened to it. The right hon. Gentleman said that in the year 1829—not, of course, denying the communication with Lord Liverpool—when he announced that communication to the House of Commons, he announced nothing more than he had explained in 1827 in the presence of Mr. Canning himself. Now, it is a remarkable circumstance that the right hon. Gentleman did not read this speech. He read the speech which he had made in 1827, in presence of Mr. Canning; bnt the House will recollect that he never read the speech which the noble Lord alleged contained the great admission, and which was the only question before the House. The right hon. Gentleman referred to that speech, but never read it. I thought it due, however, to the right hon. Gentleman to read it, and the following is a passage from that speech, as I find it reported in *Hansard*:—

"So far as my own course in this question is concerned, it is the same with that which suggested itself to my mind in 1825, when I was His Majesty's Principal Minister for the Home Department, and found myself in a minority of this House upon this question. When I then saw the numbers arrayed against me, I felt that my position as a Minister was untenable. The moment, Sir, that I, the Minister responsible for the government of Ireland, found that I was left in a minority on the question, which was of paramount interest and importance to that country, that moment I sought to be relieved from the duties and responsibility of office. I stated to the Earl of Liverpool, who was then at the head of the Administration, that in consequence of the decision given against me in this House, it was my anxious wish to be relieved from office."

Now, Sir, I am ready to admit that that perfectly bears out what the right hon.

Gentleman said the other night; he did not say anything, according to this report, which he did not say in 1827 in the presence of Mr. Canning; but that certainly contradicts all that many gentlemen who were connected with Mr. Canning, and who were Members of this House at the time I believe. That speech, remember, was made in 1829. Now, Sir, I make no charge against the right hon. Gentleman; but I say that the speech I have read from is a garbled, a mutilated, or, to adopt the language of this House, a corrected report of the right hon. Gentleman's speech; and that it omits, and entirely omits, that important statement which is the great question to-night. That I will proceed to prove. It so happens that in those days there were two reports of what was said in this House; for there was then not merely *Hansard,* the speeches in which are generally corrected by hon. Gentlemen themselves, but there was also the *Mirror of Parliament,* the speeches in which were taken in shorthand, *verbatim* by the most able shorthand writers, most of them being men of education and intelligence, and at that time the speeches were published every three days. Now, Sir, I call the attention of the House to what it appears from the *Mirror of Parliament,* the right hon. Gentleman really said in that famous speech of 1829 :—

"So far as I am personally concerned, I beg to say, my own course is the same as that which suggested itself to my mind in 1825, when I was His Majesty's Principal Minister for the Home Department, and found myself in a minority upon the Catholic question in this House. I felt that, looking at the numbers arrayed against me, my position as a Minister was untenable. The moment that I found that I was in a minority on that question, I felt that it was no longer advisable that I should continue to be charged with the responsibility of Irish affairs. I stated to the Earl of Liverpool, who was then at the head of the Administration, that in consequence of the decision against me by the voices of the representatives of that country, the time was come when something respecting the Catholics ought, in my opinion, to be done, or that I should be relieved from the duties of the office I held, as it was my anxious wish to be."

The words left out in the report of *Hansard* are these :—

"I stated to the Earl of Liverpool, that in consequence of the decision against me by the voices of the representatives of Ireland, something respecting the Catholics, ought, in my opinion, to be done."

But this, Sir, is only the commencement of my proof. Hon. Gentlemen may understand that though you may alter your own speech for *Hansard,* you cannot alter the answer to it. There may be two versions of a speech—the speech for the House, and the speech for posterity. An hon. Gentleman, who was then the head of a party that had also been betrayed, the head of the Protestant party in this House, and who had since been a Member of Her Majesty's Government, in answer to the speech of the right hon. Gentleman, as it appeared in the *Mirror of Parliament,* though not in *Hansard,* used this language :—

"If at that period the policy of conceding the Catholic question were clear to the right hon. Gentleman, I say that in justice to himself, in justice to his Friends, in justice to the country, in justice to Mr. Canning himself, who has always been the able, powerful, and consistent advocate of the Catholics, he ought not to have concealed it. If, as he now says, he had discovered in 1825 the necessity of passing this question, I ask why he did not say so in 1827, and give his support to Mr. Canning then, when the supposed difference between him and Mr. Canning obtained for him the support of many hon. Gentlemen who differed with him only on that, which I confess was the case with me?"

Sir, that was a memorable speech. It was the speech in which Sir E. Knatchbull used the phrase *nusquam tuta fides.* It appealed to the feelings of the House, who were carried away by the expressions of the speaker. The right hon. Gentleman was obliged to get up and notice it; but he did not notice that passage; he never denied that he had proposed to Lord Liverpool, in 1825, that something should be done respecting the Catholics, though Sir Edward Knatchbull had repeated that statement. No, Sir, the right hon. Gentleman admitted his guilt, if guilt it were; and it is only in 1846 that he vindicates himself by referring to a different speech, and quotes a report which I have proved is not a correct one. Now, Sir, I have a right to speak of that report of the speech I have read from in *Hansard,* as being corrected by authority, for I find a note—and every one knows how seldom one finds notes in *Hansard*—on the 5th of March, 1829, appended to the beginning of the right hon. Gentleman's speech, in these words, "Inserted with the permission and approbation of Mr. Secretary Peel." Now, I have been informed that the report I have quoted from the *Mirror of Parliament* was made by Mr. Barrow, one of the finest shorthand writers in the country, and a man of education and intelligence. But after all, it is Sir E. Knatchbull's speech that proves the truth of the matter, and would prevent any

imputation being substantiated against Mr. Barrow's accuracy, if there was any made. But not satisfied even with this, I thought it discreet to refer to the report of the most eminent newspaper of the time—*The Times* of the 6th of March 1829, and there the right hon. Gentleman was reported thus:—

"He stated to Lord Liverpool, then at the head of His Majesty's Government that in his opinion the time had come when something respecting the Catholics ought to be done, and that he must be relieved from the duties of his office."

Therefore, Sir, it appears also by this report that, in 1825, in the opinion of the right hon. Gentleman the time had come when something respecting the Catholics ought to be done. After this, I think it is unnecessary to offer any more evidence; I have accomplished the vindication of my noble Friend, who had not the power of speaking again in this debate. My noble Friend told me that there were no means by which he could have the power of speaking again; though I had hoped means might have been found; and therefore I felt it my duty to undertake his defence. I have not rested this case on the authority of anonymous publications, though they are anonymous publications, as the *Quarterly Review*, or the *Edinburgh Review*, which I hold in my hand, which are no mean authorities; for the articles in them are frequently written by men high in the Legislature, and cognizant of all that is done and all that is said by public men. I believe there is many a Cabinet Minister on both sides of the House at this moment that has written articles in those reviews; and there have been several contributors to them who have been Prime Ministers, as, for instance, Mr. Canning himself. Now, in the *Edinburgh Review*, of April, 1829, in an article on the state of parties, written, I believe, by a man who was not to be misled with respect to transactions in which he had himself taken a great part, this is the language used. In the former part of the article he gave a character of the right hon. Gentleman, which I omit, as it is not very favourable to the right hon. Gentleman, and it is therefore unnecessary to bring it forward on the present occasion:—

"Sir R. Peel at that time told Mr. Canning, in the House of Commons, that his unlooked-for opposition to Mr. Canning was grounded on a difference of opinion on the Catholic qaestion; yet at that very time he had in his writing-desk a letter in which two years before he had told Lord Liverpool that, in his opinion, the Catholic claims ought to be granted, and proposing that he should retire from office in the mean time."

It is true that is an anonymous publication; but then it is widely circulated: the passage was read in society, and it never received any contradiction. Sir, the right hon. Gentleman has said that there was no misconception between him and Mr. Canning; that in 1827, when he made that explanation, Mr. Canning immediately responded in terms which did not look as if Mr. Canning thought the right hon. Baronet would hunt him to death. We are all aware of what Mr. Canning said on that occasion. He offered some Parliamentary compliments to the right hon. Gentleman; he acknowledged the candour and sincerity of the right hon. Gentleman. We must all acknowledge that such is his character. That was on the 21st of May. This is the character to which the right hon. Gentleman is always referring. Why, before forty-eight hours were over, Mr. Canning had expressed his real opinion of the conduct of the right hon. Gentleman. The opposition commenced in a manner which outraged all decency. A party of Gentlemen—I will not inquire what great house they were dining at, though I have been told—came down to this House, the right hon. Gentleman among them; the debate was the shipping interest; a late Colleague of the right hon. Gentleman rose and delivered himself of a speech which, if that Gentleman were a Parliamentary authority at all, I should quote as exceeding in virulence anything which might be to the taste even of Mr. Fox. And the third day after the right hon. Gentleman received his character for candour and sincerity, the right hon. Gentleman rose and delivered one of the most violent opposition speeches ever heard in Parliament. What did Mr. Canning say then?—

"I rejoice," said Mr. Canning, "I rejoice, Sir, however, that the standard of opposition is at length unfurled in this House. Such an act is, to me, worth a thousand professions of qualified neutrality. In whatever mind the feeling of opposition lurks, let it come boldly forth, and boldly will I meet it. I never have shrunk—I never will shrink—from explanation or defence, whether the charge preferred against me be conveyed in the avowed hostility of the open and manly foe, or in the not less dangerous insinuation of the disavowed opponent."

"Now," said the right hon. Gentleman, "I did not hunt him to death." I am not going to enter any details for the purpose of determining whether the right hon. Gentleman did hunt Mr. Canning to death. That is a poetical phrase; that is metaphorical

language; and it only expresses the feeling entertained by the friends and relatives of Mr. Canning. If I were to enter on such matter, I must go into secret councils—into private correspondence. I must speak of newspapers set up to hunt the noble victim—newspapers supported by men who were members of Mr. Canning's Government. I must go into details on which I will not enter. What I have met to-night is the challenge of the right hon. Gentleman to meet his reply addressed to the new generation of Members, not on the spur of the moment, with an imperfect hold of details which occurred nineteen years ago; but after he had taken one, two, three, even four days, to get up his case. He came with these extracts, which I have proved to be garbled. He came with a *suppressio veri* unprecedented in the debates of this House. I have brought you a version to the letter. I have brought you evidence—unintentional evidence — which confirms that version. I have placed before the House in its true light that great passage, in its history that memorable avowal. It is nineteen years ago since it occurred, and posterity has decided upon it. "But," said the right hon. Gentleman to the noble Lord, "if such has been my conduct, how can you justify your conduct in calling me your right hon. Friend?" Is it necessary to notice such a charge. I recollect when the right hon. Gentleman was at the head of that great Pharisaical confederacy called the "Conservative Opposition," the right hon. Gentleman had more than 300 hon. Friends, many of whom he did not know by name, and many whose appearance if he had to identify them he could not recollect. "But," says the right hon. Gentleman, "why elect me for your leader?" It has sometimes been my lot to notice in this House the extraordinary tone of the right hon. Gentleman, who speaks as if he were entitled to be sole Minister of England. He comes to this House and says, "I am about to make an exposition of my policy." But I must tell the right hon. Gentleman, that when a party is formed, it is not a single individual who gives it shape. I was but a very humble Member of that party; but when I joined the Conservative Opposition, I followed an eminent personage to whom I was warmly and personally attached. My noble Friend was attached both in public and in private life to Lord Stanley? Far from acknowledging the right hon. Gentleman as his leader, my noble Friend's name will be found in the list of those who voted against him, and turned him out of the Government. When Lord Stanley felt it his duty to cross the House, my noble Friend followed his Friend Lord Stanley—his personal and private Friend, as well as political leader. Under such circumstances, can you be held to have become the personal follower of an individual with whom you have no official connexion, and with whom, during nineteen years, you have had no private intimacy? I may venture to say that my noble Friend has had less personal intimacy than any other Gentleman of the party with the right hon. Gentleman. Yet now the right hon. Gentleman says, "You are barred from taking such a course, because, though you were probably never under my roof, and never accepted a favour from me, you still were pleased in Parliamentary parlance to call me your right hon. Friend." Sir, I think I have answered the elaborate attack of the right hon. Gentleman on the noble Lord—his attack on my noble Friend's consistency, his attack on his Parliamentary language, his attack upon the imputation my noble Friend made upon him as to the conduct of the right hon. Gentleman to Mr. Canning. But I trust I have done more than vindicate my noble Friend. I trust I have put in its true and intelligible light that mysterious passage which has so long perplexed the politicians of Europe, and which the right hon. Gentleman on Friday night so elaborately explained for the benefit of the rising generation. I am not surprised, that, closely connected with Mr. Canning as he was, my noble Friend should have expressed himself as he did. The feeling to which he gave utterance is shared by all who have had intercourse with Mr. Canning. I never saw Mr. Canning but once, when I had no expectation of ever being a Member of this House, but I can recollect it but as yesterday when I listened to almost the last accents—I may say the dying words—of that great man. I can recall the lightning flash of that eye, and the tumult of that ethereal brow; still lingers in my ear the melody of that voice. But, Sir, when shall we see another Mr. Canning—a man who ruled this House as a man rules a high-bred steed, as Alexander ruled Bucephalus—[*a laugh*]—of whom it was said that the horse and the rider were equally proud. I thank that hon. Gentleman for his laugh. I know that times are changed—the pulse of the national heart does not beat as high as

once it did. The tone and temper of this House are not as elevated and brave as in the days of Mr. Canning; nor am I surprised, when the vulture rules where once the eagle reigned. The right hon. Gentleman once said that Ireland was his great difficulty. I ask the right hon. Gentleman, why Ireland was his great difficulty, and whether, if he had acted with frankness to Mr. Canning in reference to his communication with Lord Liverpool in 1825, Ireland would have been his great difficulty? This the right hon. Gentleman must feel at the present moment, when we are about again to divide on an Irish question—a division which may be fatal to the continuance of his power. It is Nemesis that inspires this debate, and dictates this division, and seals with the stigma of Parliamentary reprobation the catastrophe of a sinister career.

SIR R. PEEL: I am aware, Sir, that the forms and usages of the House preclude me from making any reply to the hon. Gentleman; but still, in a matter purely personal, I dare say the House will do that which it has almost uniformly done, wave a rigid adherence to established usage, for the purpose not of enabling me to make a reply, but rather of desiring Gentlemen, in justice, to suspend their judgment till an opportunity for reply comes. The whole of this question turns upon this single fact —did I, or did I not, in 1825, state to Lord Liverpool that my opinion on the Catholic question was changed, and that a settlement should be made? The whole, I repeat, turns upon that fact. Well, then, I publicly assert, that the report of my speech of the 5th of March, 1829, is a correct statement of the truth; that I said to Lord Liverpool, in 1825, that my position as Secretary of State for the Home Department, the only one of the Government opposing the Catholic claims, yet responsible for the administration of Ireland, and seeing my Colleagues in constant concert with my opponents, made my position, being alone in that House, so intolerable, that I asked to resign my situation in the Ministry. In the course of the night I stated that, retaining my opinions, I was anxious to tender my resignation, but was prevented by Lord Liverpool, who induced me to remain. In 1825, I opposed the Roman Catholic claims. In 1825, Lord Liverpool made the strongest speech he had perhaps made on that subject; and I beg also to refer to what I said on the same subject, as utterly inconsistent with my having given my advice to Lord Liverpool to settle the Catholic question, or even with having an opinion in my heart that those claims should be settled. In 1827, I offered opposition still to the Catholic claims; and in 1828, I continued the same opposition. I found in 1828, that my position resembled that in which I was placed in 1825; and I said I could no longer continue responsible for the administration of affairs in Ireland. When the circumstances of 1829 took place, I then said, for the first time, to my noble Friend then at the head of the Government, not only that I must relinquish my position in the House of Commons, which had overruled my views, but that my opinion was, that the time had now come when the question should be decided, and that in a private capacity I should do all I could to facilitate the settlement of the question. As to the *Edinburgh Review*, why, there has been a lapse of seventeen or eighteen years since that article was published. But here let me say, that all the evidence on the subject which the hon. Gentleman has been quoting from, has been accessible to him ever since 1829. He had just the same opportunity as he has now of making the attack on me; but it is reserved till the period when I have taken the course which I have done on the present question. And it seems to me to be expected that after the lapse of seventeen years I am to reconcile any contradiction that may be discovered, or to answer any charge that may have been brought against me. The main question, however, is, did I in 1825, or did I not, state to Lord Liverpool that my opinion was changed? Why, Lord Liverpool was the friend of Mr. Canning; and do you think it probable that, considering the intercourse which existed between them, had such an opinion been expressed by me, Lord Liverpool would not have communicated the important fact to Mr. Canning? As to the speech to which the hon. Gentleman referred, I certainly did do what many others have done—I corrected that speech; and what object, I ask, could I have in doing so? But I spoke on the 5th of March; and on the 6th of March, the day after, I find in the *Mirror of Parliament* a report of that speech with which I had no concern, and in which you find the answer I made to the question put to me on the 5th. Then as to the *Edinburgh Review*. What public man will say that it was necessary for me to answer that statement,

made by an anonymous writer, or that the statement, if not contradicted, must be held as true? Is it necessary to contradict every malignant paragraph, and, because it is not contradicted, is its truth to be assumed? But this I say, that as the writer in the *Review* asserts there is a letter from me in existence, in which I gave my opinion to Lord Liverpool that the Catholic claims should be settled, I challenge the production of that letter. What authority has he that that letter exists? If he states that fact, I challenge the production of the letter. But I will go further, and pledge my honour, that if the letter was written, and I have a copy of it, that copy I will, *in extenso*, give to the House. If it exists, it will show what were the grounds for the expression used in the speech of the 5th of March, that I had waited on Lord Liverpool and stated to him what were my intentions. I have my belief that the communication between Lord Liverpool and myself was a verbal one; but if a letter exists, it shall be produced. I repeat, however, that I never, in 1825—and that is the main fact—intimated to Lord Liverpool a personal change in my opinion on the subject of the Catholic claims. I had no right to say one word on this subject, and I have refrained from entering into a full reply; but allow me to express my grateful thanks to the House for having given me the opportunity of saying thus much.

Debate again adjourned to Thursday.

House adjourned at a quarter to Two o'clock.

HOUSE OF LORDS,

Tuesday, June 16, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Ropemakers.
2ª. Superintendent of Convicts.
Reported. Commons Inclosure Act Amendment.

PETITIONS PRESENTED. By the Earl of Selkirk, from Ministers and Elders of the Church of Scotland met in General Assembly, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on, the Sabbath.—From Worcester, praying that the Recommendation of the Gauge Commissioners respecting a Uniform System of Gauge may not be adopted.—From Framland, and Llanbadarn Trefeglwys, against the proposed Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—From Leicester, and several other places, in favour of the Customs Duties Bill and Corn Importation Bill.—From Ilkeston, against parts of the Proposed Measure relating to the Law of Settlement.—From Samuel Cook, against Corn Importation and Customs Duties Bills, unless accompanied by the Repeal of the New Poor Law Act.

ANNUITIES TO VISCOUNT HARDINGE AND LORD GOUGH.

The EARL of RIPON proposed to postpone the Report on the Amendments on these Bills.

The DUKE of RICHMOND asked for what purpose the postponement of the Report was proposed?

EARL GREY replied that the Amendment which the noble Duke referred to had been carried at a time when a great majority of their Lordships were absent, not having the least notion that the subject would come under discussion. He thought the decision at which the House had arrived, under such circumstances, should not be considered conclusive; and he hoped and trusted the Government would give their Lordships an opportunity of reconsidering it. If they did so, he for one would support them with his vote.

The DUKE of RICHMOND wished to ask distinctly if it was the intention of Government to reverse the decision to which their Lordships had already come with respect to this case. He had made the inquiry of the noble Earl (the Earl of Ripon) on the last occasion, and he understood from him that it certainly was not the intention of Her Majesty's Government to make any such attempt. He now saw cause to know they had changed their opinions. He was not surprised at any change of opinion on their part, nor at any combination into which they might enter, but thought it necessary that they should state what that change was, and give plenty of notice to their Lordships. As to the remarks which had fallen from the noble Earl (Earl Grey) respecting the absence of a great number of their Lordships when the Amendment was carried, he could only say that if the votes of those noble Lords who attended on Committes in that House from twelve o'clock in the day, and sat again until the House rose at night, were to be rescinded, and their decisions to be reversed, because other noble Lords were at home at the time, he hoped the House would, as many of their Lordships wished, adjourn at seven o'clock every evening. There was no use in noble Lords staying in the House after that hour, if such a doctrine as that were to be laid down.

The EARL of RIPON would remind the noble Duke, that he had received no notice whatever of any amendment, nor was he aware that any opposition was likely to be made on the occasion to which he referred. He certainly, in the conversation he had with the noble Duke, never had intended to convey any intimation, on the part of Her Majesty's Government, that they con-

sidered themselves precluded from taking any means which the forms of the House would entitle them to apply to, for endeavouring to carry out their objects. Indeed it would be evident that he could not have made any such agreement, without consulting with his Colleagues in that House, and elsewhere. As to the remarks of the noble Duke respecting change of opinion, he could not see why any man should be censured for an alteration in his sentiments; but on the present occasion nothing of the kind had taken place. There was something in the tone of the noble Duke which he had no reason to expect from him; and he could not but wonder what he had ever seen in him (the Earl of Ripon) to make him think he would be open to the charge he had brought against him.

EARL GREY was perfectly aware that it was not absolutely necessary to give notice of amendments; but when important Bills were before the House, it was usual to give notice whenever any amendment, making a great change in the principle of the Bill, was to be brought forward. No such notice had been given in the present instance. The other House, in the exercise of that right, from which he should be sorry to see any departure, certainly could not accept a Bill so altered and sent back.

The DUKE of CLEVELAND contended that no notice was necessary. He never had heard but one opinion of the Bill, and that was, that it was the shabbiest thing in the world. He had therefore voted against it, and would repeat the vote whenever he was called on to do so.

LORD BROUGHAM said it was competent to any noble Lord to move any amendment in Committee without giving any notice whatever; but still, it was usual to give notice of any important amendment.

After some further conversation, Report postponed.

THE CORN IMPORTATION BILL.

EARL STANHOPE said, that before their Lordships went into Committee again upon the Corn Importation Bill, he wished to put a question to his noble Friend the President of the Board of Control. He was anxious to learn from his noble Friend whether he expected that the effect of their Corn Bill would be to raise the prices of corn, to leave them where they were, or to depress them?

The EARL of RIPON replied, that the question which the noble Earl had just put to him, was one which, if he mistook not, had already been put to his noble Friend the President of the Board of Trade in the course of the debates upon that measure. His noble Friend had given an answer to that question; and to that answer he (Lord Ripon) was also disposed to adhere, viz., that it was not possible for any man to give such an answer to such a question as should be satisfactory. The seasons would, he apprehended, operate upon prices under this Bill just as they had under former Bills relating to the same subject; and, looking at the prices at which corn had ranged under former Corn Bills, he saw there had been nothing but extreme fluctuations in them. He could not help thinking, however, that if any of those who had recommended those Bills to the adoption of Parliament had been called upon at the time to state what would be the prices of corn under their measures, no answer would or could have been given to such questions; or if they had been, the statements of those who gave them would have been falsified by the results. He would not himself, therefore, undertake, any more than they had done in regard to their measures, to prophesy with respect to what would be the prices of corn under this Bill.

EARL STANHOPE said, he did not ask the Government to say what would be the price in any one year—all he wished to know was, what would be the price on an average of any number of years—whether the price of corn, in short, would be higher or lower under the operation of this Bill. Not having had an answer to his question, he would only say that it was apparent to their Lordships, and it ought to be made known to the country, that Her Majesty's Government were bringing this measure forward without any knowledge of the question whatever.

The EARL of WINCHILSEA must say, that he considered the answer which the noble Earl had given to his noble Friend to be most unsatisfactory.

The DUKE of RICHMOND said, that if the noble Earl the President of the Board of Control would not answer the question which had been put to him by his noble Friend, he (the Duke of Richmond) would answer it for him. If their Lordships would turn to a despatch which had lately been written by Mr. Secretary Gladstone to the Governor General of Canada, they

would find that Mr. Gladstone stated that, whilst he did not presume to anticipate what were likely to be the precise limits of the ruling prices of corn after this Bill should have passed, yet that the most competent persons did not think that there would be any reduction below what had been the prices of the last three years, 1843, 1844, and 1845. Now, this was the opinion of a Member of Parliament, and a Cabinet Minister, upon this question of price; and he could not but think that this despatch must have some weight with their Lordships, and the more so from the publicity which had been given to the document, for it was not often in this country that a Secretary of State wrote a despatch to the Governor of a Colony, and then published it in a newspaper before the Governor could have seen it. And, my Lords (said the noble Duke), if I was the Governor General of Canada, I should feel somewhat indignant in reading my instructions for the first time in a public paper.

EARL STANHOPE again rose, and said he must beg to be allowed to ask another question of the noble Earl (Earl Ripon). He wished to be informed whether the intention of the Government was by this Bill to raise prices, to lower them, or to leave them where they were? The noble Earl need not surely be under the necessity of going into any very abstruse calculation in order to answer a question so simple as that, as it was merely what the Government intended that he wished to be informed of. If the great autocrat of the Government would condescend to communicate to the Cabinet what was his intention as to prices under this measure, or if he had communicated it, he did trust that the noble Earl would tell them what it was.

The EARL of RIPON said, the question of the noble Earl appeared to him to be pretty much the same as his former one, and he could, therefore, give him no other answer than he had already given.

EARL STANHOPE retorted, that they could only judge of the intentions of the Government from their suspicious silence.

The EARL of RIPON observed, that he objected to the noble Earl using such words as "suspicious silence." What right had the noble Earl to term their silence "suspicious?" He (Lord Ripon) acted from a sense of his duty, and he would not submit to imputations of this kind.

EARL STANHOPE said, that he had not meant to say anything offensive to the noble Earl; but he must say, that when silence was observed by the Government on a subject of such importance, it did cause a suspicion in the country as to their motives and intentions; and it was in that sense, and in that sense only, that he used the words which had been complained of.

EARL GREY said, that though the Government, in the exercise of their discretion, had thought proper not to answer the question which had been put to them with respect to their intention in regard to the range of prices under this Bill, he hoped he (Earl Grey) might be permitted, as a humble supporter of the measure, to state his own views as to what was the object of it in that respect. He apprehended that the object of this measure was, not to secure 80*s.* a quarter for wheat, as was the professed object of the Bill of 1815—not 60*s.*, as was calculated upon by the promoters of the measure of 1828—not to obtain 55*s.* as was expected under the Bill of 1842—but to secure to the country a sufficiency of corn at a natural price, be that price what it might.

The EARL of STRADBROKE said, he had merely risen to protest against what the noble Earl (Earl Grey) on the Opposition benches had stated to have been the professed object of the existing Corn Law, and of the previous Acts. The intention of those measures had not been, as the noble Earl had stated, to secure 80*s.* in 1815, or 60*s.* in 1828, or 55*s.* in 1842, but only to protect the agriculturist of this country against foreign competition.

The EARL of RIPON here moved the Order of the Day; and House in Committee accordingly.

CORN IMPORTATION BILL—COMMITTEE.

Clause 1 being proposed, enacting—

"That, in lieu of the present Duties on Corn imported into the United Kingdom, and entered for home consumption, there be levied until the 1st of February, 1849, the Duties set forth in the Schedule, and after February 1, 1849, 'upon all wheat, barley, bear or bigg, oats, rye, peas, and beans, 1*s.* for every quarter"—

The EARL of WICKLOW moved, that the words following the word "wheat" be left out, and these words inserted in lieu thereof, "not being the produce of the Colonies of the United Kingdom, 5*s.* for every quarter." The noble Earl said, that if their Lordships should give their sanction to his proposition in regard to wheat, he should afterwards move Amendments, in like proportions, in the duties proposed

in respect of the other sorts of grain named in the Bill. He could assure their Lordships, that it was not with any satisfaction to himself that he had undertaken this duty; and if it was objected to him that he had not given any formal notice of his intention to move this Amendment, he could only say that one of his chief reasons for not having done so was this—that he had hoped, until the last moment, that some one of the noble Lords opposite, to whom, he must observe, an Amendment of this nature more consistently belonged, would have brought this proposition forward. Feeling that the Amendment would improve the Bill, he had taken upon himself the not very agreeable task of originating it himself. The question had been so thoroughly discussed on its general principles, that he would confine himself, as far as possible, to the particular subject of his Amendment. His noble Friend at the Table had put some very pertinent questions to the Government in regard to the effect of this measure, which might have been answered, and he thought ought to have been answered. Almost every noble Lord who had spoken had ventured an opinion upon that matter. Some noble Lords had stated that their opinion decidedly was, that the price of corn would fall; and they had urged that as a strong reason for supporting the Bill. Others had thought that its effect would be not to lower the price of corn, but to produce steadiness, and prevent fluctuation; and the noble Earl opposite (Earl of Clarendon) might be considered the representative of the first class. That noble Earl thought that the price would fall, and he had illustrated the consequences of that, by saying that if it fell from 50*s*. to 40*s*., it would cause a saving of 12,000,000*l*. to the wheat consumers of this country; but the noble Earl did not seem to consider to what extent that argument might be pushed. He seemed to forget that that 12,000,000*l*., though gained to the consumer, would be lost to the country. If that amount were to be transferred from the consumers of wheat to the producers in this country—the country would sustain no loss; but if, under reduced prices to be caused by this Bill, there should be a transfer from the consumers of wheat to the producers of foreign countries, then that which was saved to the consumers of wheat would be lost to the country.

The EARL of CLARENDON said, he had not stated it as his opinion that the price of corn would fall, but that if it did fall, such and such consequences would follow.

The EARL of WICKLOW was bound to accept the explanation of the noble Earl; but no doubt many of their Lordships had advocated this Bill on that ground; and it was a very rational ground for so doing —indeed the whole argument of "cheap bread" depended upon it. But he wished now rather to take the argument of those who said that this measure would remove the fluctuations of the sliding-scale; and as to that, his opinion was, that the effect of a sliding-scale would be to equalize prices, if it were formed on a right foundation, and that the present sliding-scale had failed, as it certainly had, from a defect in the machinery by which it was carried into operation. Upon the whole, however, considering the circumstances of this country, he thought that a fixed duty was the best. He had stated that opinion several years ago; but then both parties were united in thinking that protection to the farmer was the main object, and he yielded to the general impression. If, then, the great object were to prevent fluctuations, he need not produce any arguments to show that his Amendment could not have the effect of making the price variable, for the fluctuations must be precisely the same without this duty as with it; and that he put forward as a strong and invincible argument in favour of it, because, whilst the public lost nothing, and the consumer lost nothing, the public revenue would be the gainer; and he could see no conceivable reason in the subject itself, why the Government should needlessly throw away so large an amount of revenue. But even supposing that his proposition should have the effect of raising the average price of wheat to the extent of the additional duty, if the greater object of preventing fluctuation were attained, could any evil consequences result? None. As regarded the working classes, the farmers, and the revenue of the State, and as regarded also the landed proprietors of the country, that small addition of price would be advantageous rather than prejudicial. The fixity of price being attained, surely the working classes could not suffer from this alteration. There had been much discussion on what regulated the rate of wages; and he admitted that the fluctuating price of corn did not regulate the rate of wages; but that many other things entered into the consideration; but, *cæteris paribus*, in the

long run the fixed price of corn must affect the rate of wages; and, therefore, to the labourer it would not matter if the price were slightly raised, because, in the long run, his wages must rise in proportion. Then, as to the farmer; with his fixed charges on the land, the poor and other rates, he must be benefited by the change. As to the revenue derivable from this source in the run of years, it would amount to not less than 1,000,000*l.* sterling; and when noble Lords opposite came into office, as soon they must, and proposed and carried those alterations in the sugar duties, in which he thought they were right, and from which they expected a large accession of revenue, with these means they might reduce at least one-half of the income tax. He could not help remarking how studiously noble Lords had avoided all reference to the landed interest in this debate; the reason was clear—they were anxious to avoid all possibility even of suspicion of interested motives; but, in taking that course, they had done, he thought, an injustice to a most useful and necessary class of the community. They might talk of the great advantage of pushing their commerce to the ends of the world, and of the blessings of free trade; but the best, the surest, and the greatest market for the manufacturing industry of the country was that called the home market, which the landed interest afforded. There had, however, been some allusion to the landed interest, and it came from a quarter from which he should least have expected it. The right rev. Prelate who had introduced that matter, had shown, at all events, that if oratorical powers were a qualification for that Bench, no man deserved it better than himself. But he (Lord Wicklow) was surprised to hear with what complacency the right rev. Prelate, recently elevated to honours and rank, seemed to contemplate a change by which the landed interest would be ousted from their property. The right rev. Prelate had stated, that when he visited his diocese he had found the habitations of the poor in a miserable condition; and that the rectors had told him that it arose from the poverty of the landlord; and then the right rev. Prelate rejoiced that the result of this measure would be such a change of property as would remove such incompetent possessors of property. Now, he had endeavoured to conceive what sort of man that landlord might be. He had conceived him a person who, from a long line of ancestors, had inherited this property; and who, relying upon the faith of the protection which the Legislature had given, had attempted to make charges upon his land for family purposes; and he believed that the transfer of property from such hands would be attended with indelible injury to the whole country. He had endeavoured to turn over in his mind the objections which could be urged to his Amendment, and the first argument which suggested itself, taking the form of a question, was this—"Will you tax the food of the people?" But the answer which would naturally be given to the question was, if it were wrong to tax the food of the people, why was it that they taxed every necessary of life, and all food, except corn?—why should they leave corn the only untaxed article of consumption? Sugar was as much a necessary of life as wheat; indeed, if they took the whole Empire, including Scotland and Ireland, it was more so—and yet they taxed sugar. Now, his noble and learned Friend had stated that there was a broad distinction between duties imposed for revenue, and duties imposed for protection. That, where a duty was imposed equally upon all, it became revenue; but where it was confined to one article, it was protection: now, without quarrelling with that definition, he did not see that it had much to do with the argument. He wanted a duty for revenue, and he did not want it the less because others considered that it would operate as a protection. If laid on, it operated both as revenue and protection; and whenever they might be able to dispense with their Customs altogether, and to get commerce perfectly free, he would willingly give up the duty on corn; but all political economists agreed that customs duties were the best mode of taxation, and it was clear that they must exist as long as this country existed. He therefore said, that it was due to the farming interest of the country to continue protection, though for the purposes of revenue. And here he must say, that he could not understand why the noble Lords on the Opposition side should now turn round upon this subject, except for the sake of imitating the example of those who sat opposite to them—and discard all their former opinions. But he thought they might suspect a reason which the noble Lords would not avow; indeed he believed that if that most impolitic and imprudent letter which had been written by a noble Lord at the end

of last year, evidently intended to embarrass a Government, and not written with any notion of the consequences that would follow; he believed that, but for that imprudent and most unfortunate letter, those noble Lords opposite would now be sitting on that side of the House, with the opportunity of proposing their own measure, and satisfying and gratifying the country. He knew, of course, that the effect of carrying his Amendment must, at present, be to defeat the Bill; but he was most anxious so to do—for this reason, that they might get a better and more serviceable Bill. He did not want any sliding-scale—he did not think a sliding-scale applicable to the circumstances of this country—but he was anxious to set this vexatious question at rest; and he was convinced that it was impossible to do so by this present Bill. Those who expected that, were, in his opinion, as ignorant of the state of feeling in the agricultural population as they were ignorant of what was passing in another hemisphere; and he believed, that if they succumbed to the power of the Anti-Corn-Law League, the agitation which that body had excited would be but a slight whisper, in comparison with the roaring tempest which they were raising about their ears. The agricultural population of this country were far too proud and independent to suffer themselves to be trodden upon in this manner; they would be ready enough to sacrifice their own interests, if others were called upon to make the same sacrifice; but when they saw a new principle applied to them, and to them alone, they would never be satisfied with it; and therefore, he was anxious to give to the noble Lords opposite an opportunity of ingratiating themselves with the country. If noble Lords opposite came into office, and introduced such a Bill as he proposed, they would give satisfaction to the country; and if that was the case, what signified a little delay? He asked whether it was not well known that every man in that House, except a few leaders, in their consciences preferred such a measure; and was it creditable then to that House to be influenced by other considerations? He believed that the rejection of the Bill for the purpose of an Amendment of this sort, would give satisfaction to the agricultural population, and no dissatisfaction to manufacturers, who were divided on the effect of the measure. In his Amendment he had however excepted the corn of our own Colonies; and he begged to ask, was it not desirable at present to satisfy Canada? Let them look to the state of affairs in that part of the world, would any one say that the war now raging between America and Mexico would not be attended with serious consequences? If successful, the Americans would only be more proud, and more inclined to dictate unreasonable terms to this country; and if unsuccessful, which was not likely, they would then seek some other ground for the display of their energies and valour. Certainly to take the present moment for any step which would be disagreeable to Canada, would be most unwise. Upon all these grounds, therefore, he begged to move—

"That instead of 1*s.*, there be a duty of 5*s.* on wheat imported after the 1st of February, 1849."

The MARQUESS of CLANRICARDE said, that his opinions upon the general subject of the debate being known, he should not have troubled their Lordships if it had not been for the reference made by the noble Earl to the noble Lords on the Opposition side; and as he (the Marquess of Clanricarde) was old-fashioned enough to desire to be consistent, he would show to their Lordships that in supporting this measure he was acting in perfect consistency with his former conduct. He would remind their Lordships, that in 1841, when he seconded the Address moved by his lamented friend Lord Spencer, the debate turned on whether a moderate fixed duty should be substituted for the then existing protection to agriculture. In that debate both himself and the noble Earl expressed their opinion that it was desirable that the protection to agriculture should be reduced as speedily and as safely as possible: consequently, it was clear his opinion had undergone no change; and the noble Earl who had now introduced this Bill, and who upon the occasion he referred to had moved the Amendment to the Address, drew particular attention to their remarks, and said that their object was clearly free trade. In explanation, he had stated that he wished certainly to come gradually to the abolition of all protective duties, because he did not agree with his noble Friend (Lord Spencer) in thinking that they could at that time be safely repealed at once. Now as regarded the Amendment of the noble Earl, he was of opinion that it would fail in its object—it would be not even a remnant of protection for the country. He (the Marquess of Clanricarde) was not one of those who

thought that in all cases where it was expedient the abolition of a duty should take place, the sooner it was accomplished the better, because, no doubt, as much discretion was necessary in fixing an appropriate period for a change, as to decide upon the change itself. He (the Marquess of Clanricarde) considered that in all such cases regard should be paid to the general feeling of the country, and that all measures which might have a tendency to produce what was called a panic should be avoided; and he believed that if at the time to which he referred, the Government had proposed a measure for the total abolition of all protective duties, an agitation and panic would have been produced seriously injurious to the commercial as well as to the agricultural interests. It was notorious that it would have been absurd at that period to have made such a proposition, which could not have been successful. But within the last three years, not only the Ministers, but the people of this country, had acquired a degree of knowledge on this subject which they did not previously possess, and a very different feeling had been excited with regard to this question. He wished to refer to one point on which the noble Earl opposite (the Earl of Wicklow) had touched, namely, the effect this Bill might be expected to produce upon the price of corn. He did not wonder that noble Lords on the Treasury benches hesitated to give an answer to the question which had been put to them as to the price corn might hereafter be expected to bear, though he did not think they had a right entirely to withhold some expression of their opinion thereupon. He (the Marquess of Clanricarde), as one of those who supported the abolition of protection, at once avowed that he advocated a certain degree of diminution of price. Under the operation of this measure, prices on the Continent would undoubtedly be raised, and prices in this country would be lowered, but not to such an extent as essentially to injure the landed interests of this kingdom; for he was convinced that the farmers of this country were able to compete with any agriculturists with whom they could be brought into competition. Their Lordships had heard many complaints of the burdens to which land was subjected; but they must remember the advantages concomitant with those burdens. It was said that compensation would be given to the farmers by measures yet to be brought under the consideration of their Lordships. Now he wished to guard against the supposition that he grounded his support of the measure upon any plan of compensation, or that he thought any compensation necessary; but, he must say that he could not regard the measures which had been brought forward by the Government professedly for the relief of the agriculturists, with reference to the expense of highways and prosecutions, as measures which would compensate the farmers for the effects of this Bill. He supported those measures upon their own merits. But when noble Lords complained that the landowners and farmers were subjected to heavy expenses for the maintenance of high roads, he must call upon them to remember the advantage they derived from such communications. He could remember the time when there were only two main roads in Leicestershire, and when the by-roads in that county were almost impassable by any vehicles; but now the face of the country was entirely changed: there was scarcely a farm to which there was not access by good roads, and the farmers had been more than compensated for the expense of those improvements by the advantages they had derived. The agriculturists also complained of the expense to which they were subjected for the maintenance and removal of the labouring poor who flocked from distant districts, or came over from Ireland, to reap the harvest. But did the farmers consider what an advantage it was to them to have a nation at their beck upon whom they could rely for an abundant supply of labour? There was no doubt that, without such assistance, it would be impossible to get in the harvests of this country. A noble Lord opposite had argued that our farmers could not successfully compete with foreign corn producers, who were not liable to a taxation of more than 1*d.* and 2*d.* an acre; but noble Lords must remember the state of the land in the countries to which the noble Lord referred, that they had no roads or rivers, or any of the appliances possessed by our agriculturists. These burdens so much complained of were in his opinion accompanied by great advantages, and therefore no compensation was needed with respect to them. The noble Marquess then alluded to the fixed taxes of the country for the payment of the army and navy, the public debt, and other permanent charges of the State, and contended that if, as was asserted, the operation of the Bill would be to improve the state of the country generally, the power of the nation to sustain those charges would be increased; and those

who argued to the contrary were obliged to beg the question by saying, the price of corn, and other prices in proportion, being lowered, the resources of the country would be impaired by such cheapness, which was another word for abundance. The value of land, it had also been stated, would be reduced. How could that happen? The population being expansive, and the land not, the value of land and its produce must, by necessity, increase, as the numbers and wealth of the population increased. The noble Earl (Earl of Wicklow) called upon them to support his proposition for the sake of revenue; and he said that this was a legitimate source from which to derive revenue. To this doctrine abstractedly he had no objection. If they taxed other necessaries of life, they might, on the same principle, tax bread. Taxing iron, wood, or any necessary material for producing bread, was, in fact, just as much a bread tax as if it were levied directly on the import of corn. Holding these views, he did not see that a small duty on corn for the purposes of revenue would be necessarily objectionable. He considered that a small duty, say 5*s.* or 4*s.*, which he would have preferred, would have yielded a considerable revenue, while it would not have pressed heavily upon the consumer. Supposing the consumption of this country to be 20,000,000 of quarters annually, 16,000,000 of which were home grown, and the remaining 4,000,000 imported at a 5*s.* duty, the tax upon the consumer falling upon the whole 20,000,000, would amount but to the shadow of a tax. He (the Marquess of Clanricarde) must say he was astonished that no allusion had been made to the extraordinary disproportion there was in this country between the price of bread and the price of corn. That was a point on which he had frequently sought, but had never been able to obtain, a satisfactory explanation. He considered that the imposition of a low duty upon corn, for the sake of revenue, might have been a wise measure on the part of Her Majesty's Government; but he wished to remind their Lordships that when he had advocated a low fixed duty, as a means of revenue, he had done so specially with a view to avoid the imposition of the income tax. The noble Earl opposite (Earl of Wicklow), however, could not expect him to assist in throwing out this Bill, which would effect an object he had always advocated, the abolition of protection, in order that a new Government might possibly be formed which might eventually relieve the country from the income tax. He did not think Parliament would now be ready to vote a tax upon corn into the Exchequer, on the supposition that the Minister, when he obtained it, would give up the income tax. He had regarded the income tax as an injudicious measure; but he must confess the country did not appear at the present moment nearly so impatient under that tax as it might have been supposed they would have been: he (the Marquess of Clanricarde) was not, however, on that account, disposed to rely on the income tax as a permanent source of revenue. Since the imposition of that tax they had been blessed with good harvests and great prosperity; and those who had observed the course of popular feeling would admit, that when people were in a state of prosperity they were not much disposed to complain of taxation; but it generally happened that at the moment when the Government most needed their resources they were pressed for a diminution of taxation; and therefore he thought it unsafe to rely too much upon direct taxation. But how did the noble Earl propose to carry out his views? He said, "Throw out this Bill, then there will be a dissolution and a change of Government." Now, he (the Marquess of Clanricarde) was not quite certain that these consequences would follow such a course. [The Earl of WICKLOW observed that he had not said a word on the subject of a dissolution; he had only alluded to a change of Government.] He (the Marquess of Clanricarde) must ask their Lordships to recollect the present position of this question, and the opinion which had been expressed by Parliament upon it. The Bill had been brought up by an immense majority from the other House. The second reading had been sanctioned by their Lordships by a very considerable majority; and yesterday, in Committee, the main provision of the Bill had also been sanctioned by a large majority. Did the noble Earl think, then, that the existing Parliament could very consistently adopt his proposition for a fixed duty, and carry out his scheme of finance? He could not conceive why the sliding-scale should be preserved for three years. The farmers in the country with whom he had had some opportunities of conferring were quite unanimous in not attaching any importance to a continuance of the sliding-scale during the next three years, although they disagreed about most of the other details of this measure. He objected to it because it would be to continue

a degree of agitation and panic. Sir R. Peel had at first put the Bill on the allegation of the famine in Ireland; but he had since shifted his ground. He (the Marquess of Clanricarde) was bound to admit, that although the famine was local, yet in some counties it amounted to starvation. But the Government were not so absurd as to rely for the relief of famine upon this Bill. They had taken admirable measures on that subject; and he was ready to pay his most willing testimony to their judgment and activity. But when Sir Robert Peel was spoken of as the greatest Minister of the day—good God! was the man entitled to that praise who had been all his life pursuing a course which he now admitted to be contrary to judgment and to sound policy? Then they were told how honest it was of the Ministry to avow a change in their opinions; as if there was anything extraordinary in the quality of honesty. They were told also that Sir Robert Peel had sacrificed a great party by bringing in this Bill; but he could not see that the right hon. Baronet had intended for one moment to relinquish office and power. Sir Robert Peel had never said that, and he did not believe it. For there was little doubt, that if the noble Lord (Lord Stanley) had joined Sir Robert Peel in his first attempt to settle this question, the right hon. Baronet would have been in power now, and not only at the head of the Government, but at the head of a strong party. He (the Marquess of Clanricarde) could not think him a man of foresight. He could not forget that every party he had conducted, he had led to a defeat. Some of his followers died fighting, as it were, in the last ditch; but the right hon. Baronet always surrendered in time and at discretion. Every one of Sir Robert Peel's changes had been with the current of the moment; and a single instance could not be found on record in which he had changed his opinion in the House of Commons, and had been beaten upon that question. He (the Marquess of Clanricarde) had considered the present measure without any bias in its favour; and the result of a fair consideration of the question was, that he was obliged to say "Not content" to the present Amendment.

The EARL of CARNARVON was understood to say, that there ran through the speech of the noble Lord who had just sat down a fallacy which had been rebutted when it was said to have appeared on this side—the fallacy which was termed begging the question—of assuming that steadiness of price would be attained by what was called free trade, and that if the country prospered under these measures, the landed interest was sure to partake of that prosperity. But that was the very point at issue. If the home market were seriously injured by the importation of foreign corn, he believed that the manufacturers themselves would be injured, much more the agriculturists. Then there was another question, whether the manufacturing operatives would be benefited by cheapness of price. He knew that some of the manufacturers argued that the wages of their workmen could not be lowered under the present restrictive system of supply; but that if the Corn Laws were abolished, they would be able to pay their operatives smaller wages. Now he did not state this as an attack on the manufacturers—he believed that they were pressed by competition on every hand—but still it was an indication of what the working poor might expect. It appeared to him, that so far as the interests of the poor man were concerned, their Lordships would take a short-sighted view of the question in looking merely at the repeal of the Corn Laws. They must take other considerations into account. He feared that by cheapening the price of corn they would throw land out of cultivation; that this would have the effect of diminishing employment; and he was afraid that in this way the poor would lose, on the one hand, more than they gained on the other. And again, so far as the agricultural labourer was concerned, he was sure that any diminution of the profit of the farmer would infallibly react upon the wages of the labourer. In arguing in this way, he must not be supposed to think that cheapness was in itself an evil, or even that it was injurious to the farmer; on the contrary, he might state that an eminent agriculturist had admitted to him, that in one year of extremely low prices he had made greater profit than in any year, either before or since, the abundance in quantity having made up for the cheapness of price. He, therefore, agreed with the late Mr. Huskisson, that he did not care how cheap wheat was, so long as it was the result of our domestic produce; but if there should be an abundant produce throughout Europe at the time of unrestricted importation, there would then be a fearful fall in prices; then would come upon the farmers of this country distress which his heart bled to think of—upon the lesser tenant-farmers, indeed,

utter shipwreck; and he would remind their Lordships, that if they wished to be respected, they must look with an eye of respect upon the interests of little men as much as upon the interests of the greatest man in their Lordships' House. He could not help still hoping that noble Lords on the other side of the House would not feel the difficulties of their position to be so great but that they might be able to support this Amendment. From some of those noble Lords he had heard strong and eloquent arguments in favour of a fixed duty. If those arguments were good then, why were they not good now? He could not conceive any advantages which his noble Friends then attached to a fixed duty, which did not still attach to it. And there was one difficulty which a fixed duty would help to get over, that the Bill as it stood left where it was—he meant the necessity of doing even-handed justice as between the agriculturist and the manufacturer. Why should the farmer be obliged to sell his corn at free-trade prices, and then be obliged to buy articles of clothing at protection prices? That was an anomaly which he knew some noble Lords opposite wished to remedy as well as himself; and the only remedy that could now be proposed would be to place a duty on corn to counterbalance the duty that was now placed on manufactures. Then, was it wise to sacrifice such a large amount of revenue as a fixed duty would produce? That would be a serious loss at all times, but it might very soon be felt to be especially serious, as they might expect a period of reaction after the long course of prosperity they had enjoyed. Then it was said, if this Amendment were carried, the forms of Parliament were such, that the result would be the failure of this measure as a distinct Bill. Be it so; but then why could not another Bill be brought in, more in accordance with their Lordships' opinions? Why should it be supposed that there was any disrespect to the other House involved in this course? Surely there was much more disrespect evinced to their Lordships in urging on this Bill, in opposition, as it had been said, not to the votes, but to the opinions of their Lordships. No doubt this course would involve delay; but was the question of delay to be compared, for one moment, with the incalculable risk of rash and ill-considered legislation? Surely they must agree with him, that legislation on the gravest subject which could occupy the attention of their Lordships ought to be the very best which the wisdom of Parliament could devise. But it was argued next, that a fixed duty could not be maintained in years of scarcity. It was very true that it could not be maintained, if clamour and not a sense of public interest were to be the guides of their policy; but as it was generally admitted now that the remission of a duty in years of scarcity benefited the importer only, and not the consumer, he did not see why it should not be maintained; and if Government could be induced to adopt the principle of a fixed duty, he did not think there was much danger of a proposition being made which the practical good sense of the country considered to be entirely useless as a measure of relief. If they did pass this measure, why what did they do? They proposed to compel the farmer to sell his corn at free-trade prices, and to purchase his clothing at protection prices. Was this fair? Was it not calculated to rouse in the breast of the agriculturist not merely a sense of harsh treatment, but of positive injustice? Was it not sowing the seeds of discontent between different classes of the community, and widening the breach between the agriculturist and the manufacturers, instead of cementing those interests, which a more skilful policy would effect? With respect to Ireland, it seemed now to be admitted that the fears of famine had been exaggerated. He did not blame the Ministers for that; but there was one thing connected with it, on which his heart misgave him. The prospect of a famine in Ireland had been urged by the First Minister of the Crown, as a reason for bringing forward this measure; but he had failed to show that the famine existed to such an extent as to require the repeal of the Corn Laws. It was impossible, indeed, not to rejoice that the famine had, in a great measure, passed away; but he (Lord Carnarvon) could not but feel, that if the right hon. Gentleman had been utterly mistaken in the extent of the infliction and the nature of the required remedy, he might be equally incorrect as to his anticipations of the beneficial effects which would result from this measure. If that were to happen, what would be their Lordships' feelings, when they saw the state to which they had reduced the country? For themselves, he believed that their Lordships might get on with diminished incomes; and, indeed, it would be right that their incomes should be reduced, if all other classes were suffering around them; but he grieved for those agricul-

turists, many of them men of small capital, whose now happy homes would be rendered desolate by this measure; he grieved for the peasant population of England, whose labour would be, to a great extent, displaced by foreign labour; and he grieved for the effects upon the country at large, for he believed that this measure would affect, directly or indirectly, every interest in the kingdom—not that of a single class merely, but those of the whole nation. As to the idea that they should pass this measure in deference to the feelings of the First Minister of the Crown, he hoped it would not be entertained for a moment by their Lordships. If the fiat of any Minister, however powerful, were to be allowed to stifle and overbear the genuine expression of the feelings of that House, it would not only put an end to the Constitution which they had so long had the happiness to live under, of Kings, Lords, and Commons, but it would be the introduction of the worst kind of despotism, because carried out under the forms of constitutional law and the semblance of perfect liberty. Say what they might, he believed that nine-tenths of those whom he had then the honour to address, were unfriendly at heart to the withdrawal of the principle of protection, and therefore they ought to reject this measure, irrespective of the feelings of any individual. He could easily understand how in the second reading of the Bill many of them might have felt indisposed to reject what, in their opinion, seemed to affirm the essential principle of free trade; but would they submit as Peers to be told that they must not now interfere with the detail—that they were not, except at their peril, to modify or improve a single clause—that they dared not annex, as a condition to the Bill, that fixed duty which those to whom the noble Lords opposite had been accustomed to look up as leaders in legislation, both political and commercial, had for years been pressing upon them? If this were to be the case—if in all cases they were to allow "I dare not wait upon I would"—if they were always to remain in leading-strings, then he must say, that instead of the reality, they had only the playwork of legislation, and that though they might amuse their mornings with railway legislation, yet, for all the great questions of national policy, the House of Lords was dead. There was another reason why he recommended a fixed duty. He had heard several speeches directed to prove the impolicy of their dissolving Parliament on the question of the Corn Laws, and of the danger of arraying class against class on the subject. Now he said, that by refusing this Amendment, they were running the risk of the very thing they were afraid of. At the approach of the next general election they would find the principle of protection still in existence, though sentence of death would have been passed upon it; and could they doubt that the farmers, treated as they had been, would not rise in every country town, village, and hamlet through the Empire—and take the question into their own hands, resolving that they would not again be betrayed by their representatives, and that they would not give up the fragment of protection which yet remained to them? Well, then, were they not much more likely now to settle the question on a stable foundation by adopting a fixed duty? But it was said the tenant-farmers had become indifferent to this question. Those who said so little knew the temper or the metal of the men they spoke of. Many of their Lordships must have seen the burst of agricultural feeling which took place at the time when the protection societies were established—established not by the landed proprietors, but by the tenant-farmers, who rose almost literally as one man on this occasion. If they did not wish to array the agricultural against the manufacturing classes—if they did not wish to fill the kingdom with strife and bitterness, which would find ample vent at an approaching election, then he called upon their Lordships to accept the Amendment of his noble Friend. He called upon noble Lords opposite to support the Amendment, which was, indeed, in a manner, a creature of their own creation—he implored the House to accept it, not merely for its instrinsic value, but as indicative of a disposition in their Lordships friendly to the agricultural interests, with which most of them were so intimately connected. Let them not trample under foot that valuable and industrious class which had been so long cherished and respected; let them rather pour balm into those wounds which were of so grievous a nature, and which had been in a manner so unexpected and so severe.

Lord DE MAULEY had voted for the measure, because he disapproved of the present Corn Law. But to repeal all duty upon corn without the substitution of any other, appeared to him to be so material an alteration in the financial state of the country, and of so much consequence as regarded Ireland, whose only market for corn,

her chief produce, was this country, that he must support the Amendment of the noble Earl. He was of opinion that the House should embrace any measure which afforded more time for consideration. He thought that was the sounder and the safer policy. Even so low a fixed duty as that proposed by the noble Earl would assist the revenue, and would enable the Government to repeal taxes which pressed more heavily than this one on the great bulk of the community. It would also afford some slight protection to the landed interest, though he was free to admit it would operate more as a duty of finance than any great favour towards the landed interest, to which, however, it might be prudent to make some slight concession. The concession, as regarded the popular party, would be small indeed; but yet, by the agriculturists, it would be regarded as an evidence of kindly feeling. If Sir Robert Peel remained at the head of affairs, he could easily propose another measure, which would meet the unanimous wishes of both Houses. The right hon. Gentleman, he had no doubt, would adopt such a course in the event of the present Amendment being carried; and whether it was a potato or a principle that influenced, they might be pretty sure he would succeed in carrying it out. Under all the circumstances, therefore, he should feel it to be his duty to vote for the Amendment of the noble Earl.

LORD CLONCURRY said, that as the question of distress in Ireland had been so often introduced into the discussion upon this question, and as he was connected with that country, he did not think it right to permit the debate to close without making a few observations. He could assure their Lordships—and he spoke from practical observation—that though the famine in Ireland was but partial, there were some districts in which the most grievous and afflicting destitution prevailed—in which the people had not even the miserable food on which they had been accustomed to subsist. He had witnessed more misery in Ireland than he thought he should ever see in any country. He never had any particular reason to admire Sir R. Peel; but in this case he thought he had acted wisely. The good sense of the people of Ireland enabled them to see, that by promoting a free trade among the nations of the Continent they would be ultimately benefited. The Government deserved great credit for the exertions they had made to save the people from famine; and if it were not for their prompt and humane interposition, he believed that ere this time thousands would have perished, and the followers of famine —disease and pestilence—would be now ravaging the land. He should oppose the Amendment of the noble Earl.

The EARL of WINCHILSEA said, he did not support the Amendment of the noble Earl on the ground of its affording any protection, but in the hope that the country might have some opportunity of constitutionally expressing its opinion at an election, before so great and important a measure as that submitted by Government became the law of the land. He was free to admit that if the Government had taken the constitutional course of appealing to the people, and the country had, through their representatives, manifested an unequivocal and decisive wish to have these laws repealed, the House of Lords ought no longer to resist the change. There was another point to which he wished to call their Lordships' attention. He thought it unwise, imprudent, and unconstitutional to bind another Parliament to the acts of the present, by fixing the term of three years, which would include the period of a general election. Again, suppose at the next election there should be a decisive majority in favour of protection, what position could their Lordships hold then? They must either place themselves in direct opposition to the will of the people, or they must betray a vacillation and inconsistency which would for ever lower that House in the estimation of the people of England. It was a mere fallacy to suppose that the question was settled by now agreeing to the measure—it would only enkindle agitation. It had been said by a right rev. Prelate that some of their Lordships had called upon the Bishops to stand in the gap on account of the parochial Clergy; but he saw no harm in any one of their Lordships reminding the right rev. Bench that they were the natural representatives of the parochial clergy, and that they ought not to allow the feeling to go abroad that they were unmindful of their interests. He believed that what affected the interests of the Clergy, affected the moral, social, and religious interests of the whole community. He had been always consistent since he entered Parliament twenty years ago; he was no party man, but voted precisely as his conscience dictated to him, quite irrespective of any other consideration. He did not blame any man for an honest change of opinion; but he could not refrain from saying that when public men were placed in situations of confidence and trust, on considerations of

certain principles to which they professed themselves deeply attached, they ought not, if they changed their own opinions, to attempt to force through Parliament any measure of so important, he might almost say, of so revolutionary a character, without giving the people an opportunity of expressing their opinions as to the propriety of the change. He had not been an agitator at any part of his life; but he considered that he had some interest in the counties with which he was connected, and he would agitate this question to the utmost of his power. There would soon be a dissolution, and a new House of Commons would soon reverse this measure. He implored their Lordships, as they valued the independence of that House, and as they valued the respect and confidence of the people of England, not to allow this measure to pass without allowing the country to express its conviction respecting it. If they did, the people would no longer look upon them as the safeguards of the State; and they would manifest an apathy towards that interest which they were especially bound to cherish, totally unworthy of them. He would support the Amendment of his noble Friend.

Lord POLWARTH, who was almost inaudible, denied that the people of Scotland were in favour of the measure. Noble Lords opposite had quoted several instances of farms having been let in Scotland at a higher rent than before; and since the present measure was announced; but it would be found that in many instances the reason of such advance of rent was either because the farms had been improved since the former letting, by the expenditure of much labour, skill, and capital, or because by conditions in the new lease the landlord was bound to invest large sums of money on the improvement of the land during the occupancy of the incoming tenant. He believed that there would be no great diminution in the value of land under the proposed Bill; but he was convinced that it would occasion a considerable displacement of labour. He would ask what was to become of the labourers so displaced? Were they to be driven into the towns? Their Lordships, no doubt, had looked into those reports which were on the Table, describing the state of the labouring population in towns; and he must implore them not to pass a measure which would have the effect of driving away from their homes a considerable portion of our agricultural population. He would not trespass further on the attention of the House. He would content himself with saying that he should support the Amendment of his noble Friend.

Earl FITZWILLIAM could not agree with his noble Friend (the Earl of Winchilsea) that they ought not to pass the present Bill without an appeal to the country; for a dissolution upon a question of food was of a most dangerous nature. In a question like that, the interests and feelings of men were so mixed up that it was difficult to appeal to the sense of the people without, in some measure, exciting their passions. It was fortunate, therefore, that they had been enabled to legislate on this subject when an immediate dissolution was not intended. But, at the same time, he was far from saying that he approved of the measures of Her Majesty's Ministers. He thought that House had been ill treated by Her Majesty's Ministers. He thought that House should have had a voice in this question; and that they should not have been driven into a corner. He would ask Ministers why they had not the boldness, the honesty, and the candour to make that House a party to their measures? Were they afraid of making that House a party to these measures of legislation? The measure should have been introduced in the form of Resolutions, in the first instance: that was the course Mr. Pitt had adopted with respect to the opening of the trade with Ireland in 1786, that precedent might very well be followed in the present instance: for he said that the course Her Majesty's Ministers had taken was one not consistent with the character of men who had obtained power, as they had done, from the aristocracy and landed interest of England. They should have brought the consideration of this question into that branch of the Legislature in which the aristocracy of the country had more peculiarly a voice, and which was most intimately connected with the agricultural democracy of England; for it was not correct to say that the democracy was confined to large manufacturing towns. His noble Friend opposite knew that Lincolnshire teemed with an agricultural democracy; and he knew the extent and influence of the agricultural democracy of Cambridgeshire. He had acted along with that democracy, and he still loved it; though he had been recently made to feel the power of that democracy for the vote he had given on this question. But to return to the proceedings of Her Majesty's Ministers. He maintained that Her Majesty's Ministers had acted in

a way that forfeited for them the confidence of every man who had placed reliance upon them; and he trusted that whatever appearance of coincidence there might be in some of the noble Friends near him with those who now wielded the Government of the country, they would never sully themselves by an intimate union with men who had conducted themselves in such a manner. There were many lessons to be derived from the debates, and from the course the two Houses of Parliament had adopted on this occasion; but there was one important lesson which he wished them to attend to, and that was, the influence of party feeling. Whatever others had been, he (Earl Fitzwilliam) at least had been consistent upon this question. When he first obtained a seat in their Lordships' House, he brought forward the Corn Law question, and not one of their Lordships supported his Resolution. That was in the year 1833; and if free trade was good now, it was good then. In the year 1839, he again moved the question, and his Resolution was supported by 24 of their Lordships; and again in 1840, when the number of his supporters had increased to 42. Now, he should like any man to draw the distinction between 1846 and 1840. It would exhibit the power of party. The leaders of the two great parties in the House of Commons had agreed on this measure, and forthwith there were large majorities for it there; and in their Lordships' House 47 on the main question, and 33 on the first division in Committee. [Lord STANLEY: "Small by degrees, and beautifully less."] He hoped the majority would be larger that night. He could not run the risk of losing this Bill, as his noble relative (Lord Winchilsea) was willing to do. He would not run the risk—no, he would not run the risk of a general election upon it, and he did not think Her Majesty's Ministers would do it; he had full confidence in the wisdom of this measure, and, therefore, as a practical man he would avail himself of present opportunities. He did not know what might be the effect of the lapse of a year. He had never indulged in any exaggerated statements of the benefits to be derived from a repeal of the Corn Law; but now that he saw it within his grasp, he would venture to say that he believed it would confer a greater measure of benefit, and, in its results, of happiness upon the great mass of the people, than any measure which had been proposed of late times; it would give greater ease and comfort to all classes of the community. It would tend greatly to enlarge the sphere for the employment of labour; it would greatly augment the demand for manufacturing labour, and for all branches of labour immediately connected with manufactures, and even for agricultural labour; the necessity for making greater exertions would call into action a greater amount of labour. Protection, no doubt, had proved in its result, protection to—(not to say bad farming)—but an unadvanced state of agriculture: this measure would advance agriculture in every part of the kingdom, and particularly in those now the least advanced, and where the nature and character of the soil were such as to cause the greatest difficulties. He felt the necessity of opposing this Amendment.

LORD BROUGHAM said, that he had been listening to many very able and important speeches which had been addressed to their Lordships in the course of the evening; but they were directed, so far as their arguments were concerned, not so much to the Amendments under their Lordships' consideration, as to the whole merits of the Bill before the House—not to the details, but to the entire measure. He should address himself to those speeches which had been made by the supporters of the Government against the Government, and against the Bill; but he should also have a word to say upon the handling which the Bill had that night got from its supporters. They had been making speeches precisely like the protection speeches on the second reading, attuned to the same gamut; he had been forcibly reminded of those choral symphonies which had sounded in their Lordships' ears for three long nights, with a loudness he had never heard equalled, and producing, especially to one not now in the prime of life, much the same sensation of fatigue as most persons experienced at a public dinner, after being made to bear the cheers of those at the table, and the music in the back ground, as exhausting as the roars. The process of argument by which some noble Lords had arrived at the conclusion they had adopted was certainly peculiar. A noble Friend near him (Lord de Mauley), for instance, was in favour of the Amendment, not because he liked or approved of a fixed duty, but merely because he was against the Bill; and he assigned as a reason for declining to argue the question at length, that he feared lest by so doing he should only weaken the arguments of the noble

Marquess near him (Lord Clanricarde), who was the enemy of the Amendment, and the friend of the Bill. But he never was more struck than with the speech of the noble Lord (Lord Fitzwilliam), who had just made a strenuous attack on the measure and on its supporters, and its enemies, for all parties had come in for a share of his censure and vituperation. That noble Lord had carried on for some portion of the time during which he had been addressing the House, a conversation in a low and confidential tone of voice with the noble Lord opposite; and his whole demeanour had reminded him (Lord Brougham) of an anecdote told of a learned Serjeant (Davy), of the Western Circuit. The Serjeant was upon one occasion addressing the court, but he at one time dropped his voice and proceeded with his speech, nevertheless, though in a low tone. The jury not hearing a word of what he was saying, one of them asked him to speak up. "Yes, gentlemen," he replied, "I will when I come to anything material." And so it was with his noble Friend; but, inasmuch as he had not given the explanation which the learned Serjeant had, he (Lord Brougham) would wish to be satisfied that the House had really not lost anything of importance. He should, therefore, ask the question distinctly of the noble Lord opposite, to whom the strictly confidential parties had been addressed, what it was the noble Lord had been saying. [Lord STANLEY: Oh, nothing material.] He was satisfied. He had thought so. But his noble Friend had said, that nothing could be more insulting to the House, or more offensive to the Constitution, than the course taken by Her Majesty's Ministers in bringing this measure forward in the form of a Bill, instead of a Resolution, originating in the other House; and he had added, that by the course pursued, their Lordships' House had been driven into a corner. But there was no reason why the present measure should not be carried through in a manner similar to the other great popular measures which had preceded it. The Reform Bill of 1831, for instance, had not been brought before their Lordships in the form of a Resolution. It had been brought by Lord John Russell into the other House, on the memorable 1st of March, 1831; and their Lordships heard nothing more of it, or its progress, excepting through the ordinary channels of public information, somewhat in the Votes, much more in the newspapers, until after the Whitsuntide recess, when it came up to their House, in due form, as a Bill. But he had a defence still more in point; for the same course had been pursued with the Corn Bill of 1804. It had been so in 1815, in 1822, in 1827, aye, and with the Corn Bill of 1842, and that course had never been made a ground of objection. The alterations in the timber duties and the sugar duties had originated in the other House, and so had the alteration in the Corn Laws, proposed by the former Ministry, and which was similar in principle to the Amendment then before their Lordships. It had been originated by the late Ministry in the other House, and it was there they were beaten upon it. But to proceed to another objection of the noble Lord. When he spoke of popular feeling upon the question, and his unwillingness to appeal to the country, he (Lord Brougham) could not help, when he heard him drawing forth cheers from the enemies of the Bill at the close of every sentence, exclaiming, "Oh, save me from my friends!" He differed *toto cœlo* from the noble Lord on that subject. What had he said? Why, that they dared not appeal to the people. [*Loud cheers from the protectionist benches.*] Those cheers came very naturally from the enemies of the Bill, and the friends of the Amendment; but how his noble Friend, the supporter of the Bill and enemy of the Amendment, could be so deluded, so utterly mistaken, as to suppose that there was any foundation for the notion that an appeal to the people would be fatal to the Bill, he was unable to comprehend. He (Lord Brougham) thought, and he felt perfectly satisfied, that an appeal to the people would prove favourable to the Government and to the Bill. But his noble Friend had gone on to say, that his reason for voting against the Amendment was the delay it would occasion in the settlement of the question—that time for thought and for consideration would be fatal to the measure. [*Loud cries of* "No, no!"] He (Lord Brougham) did not mean to say that his noble Friend had used exactly those expressions; but what he had said, he contended, amounted to it, and was the same in substance. Now, far from thinking his noble Friend justified in using such expressions, he was of opinion, for the reasons he had twice already adduced in debate, that the more thought and the more consideration were given to the measure, the more it

would advance in public estimation. He should next endeavour to direct the attention of their Lordships to the real question before them; but before doing so, he was truly sorry that the course the debate had taken, deviating widely from that question, compelled him, how reluctant soever, to follow, in the first place, the deviation; and therefore he must begin by addressing himself to the speech of the noble Lord connected with Scotland (Lord Polwarth), who had brought forward the cases of three farms, in order to show the effects to be expected from the present measures in the event of their passing into law. Now, he should say, that he paid very little attention to such cases. When the House was merely informed of the terms upon which farms were formerly let, and those for which they were either let, or likely to be let or sold, at present, their Lordships were really left almost wholly uninformed upon the subject; for there were so many collateral circumstances which would of themselves, independently of any alteration in the laws, be sufficient to affect materially the value of any particular farm, that the mere mention of comparative prices and offers signified nothing unless they could be put in possession of all the circumstances of each case. The noble Lord had stated that one of the farms he had mentioned had risen only 200*l.* in value. Now that might be too little to expect; but did it not strike the acuteness of the noble Lord, that those figures were anything but proof? The great argument of the enemies of the Bill amounted to this, that the price of wheat would tumble down 10*s.* a quarter. Now, the produce of this country had been stated at three quarters to the acre, on an average; whilst that of foreign countries was set down at somewhere about fourteen bushels. Well, let them set down the loss, according to their own showing. It was 30*s.* an acre—that was the loss expected by the great alarmists: it was not his (Lord Brougham's) statement; he was merely stating the loss put down by the great alarmists, the sum which they said would be cut off from the value of land by this frightful Act. Now, he would administer a little comfort to his noble Friends, which was really, he thought, much wanted, for there were some who seemed to delight in drawing pictures of desolation and terror, and in exciting despair amongst their hearers, while they surfeited themselves with it. They seemed to be unsatisfied unless they fed upon horrors—

"Gens ratione ferox, et diris pasta chimæris."

If there were to be the fall of 30*s.* an acre, which had been set down by those alarmists as the inevitable result of this measure, and if the very highest average rent at which land could be let at present were, as it was admitted on all hands to be, from 30*s.* to 2*l.* an acre, it is evident that the loss, instead of involving a considerable reduction in the rents, ought to involve the amount of the whole rent. Let them suppose a farm of 300 acres, let at 30*s.* to 40*s.* an acre, laid down in wheat, on which a loss of 30*s.* an acre should be suffered in consequence of the proposed measure of free trade—it was evident that there was an end of the rent. But what was the real amount of the fall experienced on those farms on the borders of Scotland which had been mentioned, and where the rent could not be expected to be so high as the high average of rich land in England? Why, it was only a trifling reduction from what might have been expected had no change taken place. But he had promised their Lordships some comfort, and they should have it. He would administer a little to them in the form of statements which had been made to him. He had already said that he paid but little attention to such things by way of proofs; but if they were valuable for one side, they were, at least, equally good for the other, and at least the same amount of weight ought to be given to them. He would therefore refer to two only out of several letters he had received upon the subject. The first stated, that as the Corn Bill was now under the immediate consideration of the House of Lords, the writer thought it well to put him (Lord Brougham) in possession of the result of a sale which had taken place at Garraway's. It was the sale by auction of a farm of 200 acres in Essex, by Mr. Compton. It was said to be in a wretched state of cultivation, and was situated within five miles of a town which he need not mention. The rent was 180*l.* per annum, without a residence; and the sum it fetched under the hammer the day before yesterday, since the Corn Bill had been sent up to their Lordships' House, nay, more, since it had been read a second time there, was—how much did their Lordships think? How many years' purchase did they imagine? Their Lordships should remember that the

sale had been effected in the face of all the disastrous consequences prophesied as the inevitable result of the free-trade measures of the Government. Well, the farm had fetched thirty-six years' purchase. It had been sold for 6,500*l.* without reserve, so that the purchaser had been content with $2\frac{5}{4}$ per cent for his money, with the fear of the Corn Bill before his eyes. It said little for the terror with which capitalists looked upon the measures of the Government, when they were contented to invest their money at $2\frac{3}{4}$ per cent. The second letter stated that the result of a sale which had taken place that evening (on which it had been dated) had quite astonished every one present—even the auctioneer himself was so surprised as to have said that he had almost become a convert to free-trade principles, so far did the prices realized exceed even the valuation which he himself had set upon the property. In many other instances the prices realized were double what the properties would have fetched two years ago; and, continued the writer, the farms are all situated in the neighbourhood of the Bentinck estates, a relative of whose proprietor had made himself conspicuous of late by strong language against the measure. From 50*l.* to 90*l.* an acre had been realized for fen and marsh land. The statement, he admitted, like all such statements, proved very little one way or the other; but as he had before said, if statements were good for one side of the question, they were equally so for the other. But with regard to the principle of the Amendment, he far preferred the sliding-scale to a fixed duty. He was for free trade in corn; but if he had to make a choice with regard to a duty to be laid on for the purposes of revenue, he greatly preferred the sliding-scale to the fixed duty. As a measure of finance without protection the fixed duty was nonsense; for unless the same duty were imposed upon the corn at the mill as was charged upon foreign grain imported, it amounted to protection still. Under such a plan, therefore, they had all the evils of protection, and none of its benefits. The noble Earl (the Earl of Wicklow) had contended that from the revenue to be produced by his fixed duty, and from an alteration in the sugar duties, they might be able to repeal a portion of the income tax; but he (Lord Brougham) altogether objected to a tax on corn—it was the worst tax that could be imagined. He denied that it would enable them to reduce any portion of their taxation, or to lower the property tax; and he asserted that there was no sort of tax more directly opposed to every principle of financial justice and policy than one which was imposed upon the bread of the people. His noble Friend had denied that the fixed duty would have the effect of raising the price of the people's bread; but surely if the price of wheat imported from Dantzic or Odessa were 35*s.*, the addition of the 5*s.* fixed duty would necessarily tend to keep it higher than it would be without any such duty. But whatever tended to raise the price of the prime necessary of life was unjust. It amounted to a poll tax, for it was a tax which every man would have to pay alike, inasmuch as every man consumed about the same quantity of the prime necessary of life. Before he sat down he would admit one thing, and that was that the question came before their Lordships surrounded with peculiar and most extraordinary circumstances; and he fully agreed with one observation of his noble Friend, that it stood little chance of being decided upon its merits: the real merits of the question stood as little chance of being regarded as did the real opinion of Parliament of being heard upon it. The position of parties with regard to it was marked by unparalleled singularity. Between candid adversaries and lukewarm supporters—doubtful enemies and self-styled friends—the measure came before their Lordships with the most extraordinary concatenation of conflicting elements they had ever witnessed—the most strange he had ever seen surrounding any question. Their Lordships had been told that a number of Members of both Houses would vote for the Bill, not from any love for free trade, but to prevent what they believed, and what they had a right to believe, was worse—a change of Government. But up got the noble Earl, and cut that ground at once from under their feet; for he told them that the change was inevitable. He said that all their voting for the Bill, their deciding in favour of the measure, would not stay that change one week; and so convinced was he of what he said, that he addressed his noble Friends behind him, and gave them a lecture for the purpose of smoothing their way to his accession to office. Well, but if that were so, the Bill is lost. [A noble Lord: Why so?] He would tell them why. Because there were a good number of their Lordships, and of

the Members of the other House, who vote for it, not from any liking they had to it, but because they had a great disliking to his noble Friends behind him coming into office. Their dislike to his noble Friends was greater than their dislike to the Bill; but after the statement of the noble Earl opposite—who from his position and his connexion with the Government ought to be well informed on the subject—that there would immediately be a change of dynasty, those noble Lords would of course vote for the Amendment. It might have been very judicious to try and gain half a dozen votes by making that statement, which he was sure the noble Lord had not intended; but he (Lord Brougham) could not allow him to have the advantage of his manœuvre. Indeed he did not believe the assertion at all: he did not think that change would take place, and he observed that his noble Friend (Lord Stanhope), who thought he had a right to know the prices of next year, did not call upon any one to say who would be Minister twelve days hence, nor to declare, on the average of the next twelve months, how many Ministers would be in office (because there might be a number of short Administrations); but he would assume the character of a prophet, and would venture to predict that there would be no change. There was no more honest and conscientious set of men in the House, than the protectionist party in that House, and he entertained for them the highest respect. But the noble Earl who had spoken last, had given his friends and his party, the Whigs, the advice that, out of regard to the character of the minority to which they belonged, they should not enter upon—nay, more he implored them, and was joined in his entreaties by another noble Lord, not to think of anything so foul as—a coalition with the noble Lords opposite. Oh, said the noble Lord, do not be led to do anything of the kind! He begged the noble Lord not to let himself be frightened from his propriety by the anticipation of any such event. A coalition required two parties. It was not enough to say, "I will coalesce with you," if the other party refused the offer. Now, he did not believe in the existence of any willingness on the part of his noble Friends opposite to lend themselves to any such coalition; and if he had any reason to doubt that conviction, he was aware of the fact that a noble Lord near him (Lord Londonderry) had lauded the Prime Minister expressly for having avowed that nothing could induce him to consent to such a coalition, and had founded his personal reason for supporting the Government in their present trials on the account of that manly declaration. The most zealous and sincere friends of protection and enemies to free trade had a pretty strong conviction that there would be no change. If not, why had they postponed by every means in their power the further progress of this Bill? He could explain it at once, and he would endeavour to refute the arguments of the noble Lord on that subject, and take away his votes if he could. His noble Friends, who were very acute observers of what was passing around them, unless when they were blinded by alarm, saw what was passing elsewhere. They heard of certain meetings called for the purpose of evincing their cordial, candid, and honest sense of the great services rendered by the Minister and his Colleagues to the cause of free trade; for the purpose of aiding the Minister in his difficulties, and for the purpose of disclaiming all idea of factious opposition. [Lord STANLEY: Where? I don't see them.] There were none so blind as those who won't see. But these meetings had been called for these purposes—for the purpose of concerting support, in the other House of Parliament, to that measure which had been unanimously supported by the Opposition in their Lordships' House—he alluded to the Coercion Bill—and, above all, for the purpose of preventing any coalition between the enemies of the measure and the friends of the measure—between the enemies of the Government and the friends of the Government. He alluded to a meeting which could, he concluded, have been only held for the purpose of giving their cordial support to the Corn Bill, and of preventing any factious opposition to the Coercion Bill, and which was held, as he understood, last Saturday week. Those who attended clearly showed what they were after, for they said, we must make the Coercion Bill last very long in its way through the House of Commons, in order that the Corn Bill may be safe; if we turn out the Government, the Bill will he endangered. He judged from information he had received from a person who was present, and who had told him that a person from the sister kingdom undertook that there should be long debates; and no better persons were there for ensuring long debates than these great orators. Thus the Coercion Bill

went on as they saw it from day to day. From Friday it was postponed till Thursday, and then no doubt it would be postponed to Monday; and if their Lordships had not by that time come to a decision on the Corn Bill, no doubt it would be postponed still further. The fact was, these persons dreaded a change of Government before the Bill was passed. There were also a few noble Lords on the cross benches who were opposed to the Bill, but had fallen into the trap which had been laid for them, and had given the Bill every facility. They were then perfectly certain that there would be no coalition; they thought the Government was safe, and he thought so too. He therefore considered that the Amendment would not have the votes of those noble Lords. He hoped and trusted that the Amendment would be rejected—first, upon its merits, and he thought he had a right to assume that its effects would be ten thousand times worse than those of the sliding-scale; but next and principally he called on the noble Lords whom he now addressed to reject it, because that would be neither more nor less than rejecting the Bill:—the Bill was lost if the Amendment were carried. As their Lordships had sanctioned this Bill on its second reading by a large majority; as they had unanimously resolved to go into Committee upon it; and as they had last night rejected by a considerable majority the Amendment of the noble Duke (the Duke of Buckingham), because if it had been adopted the Bill would have been lost; he called upon them now to negative this Amendment for the same reason, because if they adopted it they would reject the measure.

Lord STANLEY: My Lords, my noble and learned Friend, I think, commenced his speech with this observation—that for two hours he had been listening to a discussion, of which not the whole, no—nor the major part, no—nor a large portion, no—nor any portion whatever, had been directed to the subject-matter of the Amendment now before us. After that preface, my Lords, I naturally concluded that my noble and learned Friend was about to direct his attention and that of your Lordships, strictly and exclusively to the speech of my noble Friend behind me, who proposed the Amendment. But no, my Lords, I have listened with the deepest attention—and with the most amused attention—not for two hours, but certainly for one hour, to the speech of my noble and learned Friend; and I may venture to repeat his own words, that not the whole, no, nor the major part, no, nor a considerable part—I may almost say, no, nor any part at all, was directed to the subject-matter now under under your Lordships' consideration. And, my Lords, my noble and learned Friend has done great injustice to his own individual person. He began by regretting the fatigue which, in common with your Lordships, he experienced, and which, as the noble and learned Lord said, was severely felt by one who, like himself, was not in the prime of life and beauty. Now, my noble and learned Friend did himself injustice. I am sure, when your Lordships look at my noble and learned Friend, you will be reminded, as I was myself, of these lines of Milton:—

> "And now a stripling cherub he appears,
> Not of the prime, yet such as in his face
> Youth smil'd celestial, and to every limb
> Suitable grace diffused."

After these complaints of the effects which my noble and learned Friend—who, as he says, is not now "of the prime"—experienced from the heat and from the fatigue of this long discussion, he proceeded, not indeed to the Amendment now before the House, but to a variety of subjects more or less—but I must say rather less than more—connected with this question. He first referred to the course of proceeding adopted with regard to this measure; and he asserted that that course, so far from being unusual, was usual, ordinary, and proper. I venture, in all humility, to differ with him. I think the instances relied on by my noble and learned Friend were not instances in point; and I agree with the criticism which has been made on the mode of proceeding. I think when a measure of this importance is sent before your Lordships by Bill, and it is then pleaded that you can make no amendment in it because it is a Money Bill, your Lordships are deprived of that fair weight and influence in the consideration of important political measures which are due to your station. I entirely admit the propriety of the maxim, that when a measure is introduced for the purpose of revenue, when the question is that of levying taxation upon the people, the House of Commons should watch with a laudable jealousy any interference on your Lordships' part. But I do say this—that your Lordships' rights are infringed, that the Constitution itself is infringed, if under cover of a measure involving a mere consideration of money to however small an

amount—your Lordships are debarred from expressing your opinion on all the greater political considerations which may be involved in it. In point of fact, if your Lordships are to be told, "Take this measure, or reject it—take it you must, or reject it altogether, because it is a Money Bill," your Lordships have no voice in the settlement of the question; you must accept it or reject it altogether, because the alteration of a single clause would be fatal to the Bill. If this doctrine is to prevail, it was in vain that my noble Friend behind me interfered, with regard to this very measure, to prevent a still more outrageous infraction of the privileges of your Lordships' House. It was, we know, the intention of Her Majesty's Government to pass resolutions for the admission of foreign corn, without consulting your Lordships on the subject. My noble Friend behind me pointed out the gross impropriety of such a course of proceeding. The Government, I admit to their credit, saw the impropriety of the course, and retracted their determination. [Earl GREY here made an observation to the noble Lord.] Yes; I am quite correct in the statement. It was originally declared by the Prime Minister in the other House of Parliament, that so soon as the Resolutions should have been adopted by the other House, corn would be admitted free of duty; but representations were made to the Government of the injustice and impropriety of such a measure, and the want of precedent for the proceeding. The course which has been adopted was taken upon that remonstrance, and the measure was sent up for your Lordships' consideration and assent. But, my Lords, if your Lordships are not to alter the Bill, that concession was nugatory and ludicrous. If you are not to alter the Bill, the noble Earl opposite was right, when he said that the proper course to have taken would have been this, that a Resolution should have been adopted by the House of Commons, and then sent up for your Lordships' concurrence; and that upon the joint agreement of the two Houses a Bill should have been framed; so that, at the proper time, and in the proper manner, your Lordships would have had legitimate control over the measure. "But," says the noble and learned Lord opposite, "there are precedents; look at the Reform Bill." Why, what question of the privileges of this House was involved in that case? My noble and learned Friend, though he was a Member of the Government at the time, has forgotten the circumstances which occurred with regard to that measure. The second reading was carried by a majority of one in the House of Commons; Parliament was dissolved, and the sense of the country was taken on the subject. In those days it was not thought either inexpedient or unconstitutional, upon a great and important question, to refer to the sense of the country, and afford them an opportunity of sustaining the Government. The country did sustain the Government of that day; in a new Parliament the Bill was again introduced, it was sent up to your Lordships' House; you exercised the privilege which you undoubtedly possessed, and you made a vital amendment in the Bill—your Lordships, in fact, rejected the Bill. A new Bill was introduced, and was sent up to your Lordships' House, and that measure ultimately received your assent. Were you ever told that it was impossible for you, consistently with the privileges of the House of Commons, to interfere with that Bill?—or can this case be adduced, as forming any precedent to justify the course now pursued, when, on the plea that this Corn Bill is a Money Bill, and nothing but a Money Bill, you are told that you have not the right to amend it in the slightest degree, for by doing so you would violate the privileges of the House of Commons. The first precedent of the noble and learned Lord fails him altogether, and the second will be found equally untenable. I do not know what might have been the intention of the Government in 1842, but the course they then took was this: a Resolution was moved in the House of Commons preliminary to the introduction of the Bill relating to their commercial policy. I must observe—and this is rather an important point of the case—that when these measures were announced, they were not introduced as commercial measures, or as great measures of policy, but they were brought forward by the Chancellor of the Exchequer as a portion of his Budget, and avowedly and expressly for the purpose of making up the deficiencies of a falling revenue. Upon the first Resolution of the three which they introduced, Ministers were defeated in the House of Commons; but the Bills framed upon the other Resolutions did not proceed one step beyond the original Resolutions, the object of which was to give effect to a financial measure of the Government for the purpose of revenue. I wish, before I pass to another

part of the question, to refer for a moment to some observations which fell from my noble and learned Friend, with regard to the rents of certain farms. My noble Friend read letters—one from Essex, and another, I think, from a place near Wisbech—referring to the letting of certain farms; and he told us that a farm which had been in a miserable condition, had been recently let on a thirty years' lease at a considerably increased rent. I don't ask how near Chelmsford it was, or whether the railway passed through the farm, or whether the timber was sold with the property, because, as my noble and learned Friend observes, unless you know all these circumstances, you know nothing at all. It may be asked why the particular circumstances of these farms should be stated? Because four particular farms had been referred to which were about, it was said, to be let at an increased rent. In answer to that statement of the noble Marquess opposite, my noble Friend went into the circumstances of these particular farms. With regard to one, he stated that an offer of 1,050*l.* was made for it in 1845; but on the knowledge of the measure proposed by Her Majesty's Government the offer was reduced to 880*l.*, with the further stipulation on the part of the tenant that the sum of 1,500*l.* should be laid out in improvements. These specific circumstances not only defeat the argument set up by noble Lords opposite, but they prove the precise contrary, and vindicate our argument that this measure will diminish the value of land. The noble and learned Lord argued, that if grain could be imported at 35*s.* and a duty of 5*s.* were levied upon it, the grain would then sell for 40*s.*

Lord BROUGHAM had said, that the effect of the duty was to keep out grain until the price was such as to pay the additional duty; that it tended, in short, to keep up the price.

Lord STANLEY: I am glad to give the noble and learned Lord an opportunity of explaining what it was he did say; but, having taken down the noble and learned Lord's words, I confess I thought I was representing his argument correctly. I hope it will be admitted by the noble and learned Lord that putting on a 5*s.* duty raises the price to that extent?

Lord BROUGHAM repeated that what he had said was, that a duty kept out grain and raised the price.

Lord STANLEY: We understand it, and we are at all events, I should think, agreed that the duty wont't raise the price 5*s.*, or anything like 5*s.*

Lord BROUGHAM did not say that. What he stated was, that the 5*s.* was not the measure of the price, but that it might be much greater as well as less. The effect of the duty was to keep out foreign grain, which would otherwise find its way into this country. Consequently it kept its price, though the amount of duty might not be the means of the addition to the price. [*Cries of* "Order!"]

Lord STANLEY: If my noble and learned Friend meant to answer me, let him; if not, let him not interrupt me. I understood my noble and learned Friend to say, that if grain is imported at 35*s.*, and you put on 5*s.* duty, it will sell at 40*s.* He repels that with indignation—that the addition of a 5*s.* duty raises the price 5*s.* Then, I say, he admits that the 5*s.* duty will not raise the price to that extent, or anything like that extent; on which, up jumps my noble and learned Friend, and says—"I said exactly the reverse." This kind of two-edged sword is extremely difficult to deal with—I don't know where to have him. But we are agreed that the whole amount of corn will only be increased in price by the amount of the additional supply which will come in between the 5*s.* duty and no duty at all—that the amount of the variation of price will depend on the amount which will come in between the two points. My noble and learned Friend says it may increase the price of corn by the amount of the duty; but that it may increase it much more by the imposition of the 5*s.* duty. I don't understand how, if the corn of the whole world is admitted, you will reduce more than the difference of the duty you take off; it is only that amount between the 5*s.* and the 1*s.* that alters or affects the markets at home. I shall now go to the concluding remarks of my noble and learned Friend. My noble and learned Friend talks of certain motives, and certain influences, and certain combinations of party, which may affect the consideration of this measure. He talks of meetings, of which I know nothing, of coalitions, in the existence of which I disbelieve; and which myself, and those who think with me, entirely repel and deny. But I do not deny this, my Lords. I agree that it is a most extraordinary combination of parties that has been brought together for the purpose of carrying this Bill, a large majority of the Members of which, both in this House and the other, disapprove of

this Bill—a Bill in which an immense majority of your Lordships disagree ; I agree with the noble and learned Lord that it is owing to the extraordinary combination of parties, and not to the merits of the Bill, that it has a chance of being inflicted upon the country. I agree that Government have acted with prudence and discretion in not risking an election. They have acted well and wisely ; I don't think the Government have any wish to risk that issue. My noble and learned Friend says that our tactics have not been good, and that we should move postponements day after day. My Lords, I say that we are above such tactics. We rest our case upon reason, upon justice, upon public opinion; and if these are not sufficient to carry us through, and if your Lordships are influenced by the party considerations adverted to on the other side, we yield to your decision, and submit to the fate which we cannot avert. We care not to inquire whether a delay of twenty-four hours in our vote will cause additional embarrassment to the Government upon the Sugar Bill or the Coercion Bill, or whether it will give a better or a worse chance to noble Lords opposite of coming into power. We are influenced, we have been influenced, by no such considerations. I suppose we shall be overpowered; but we have put a plain case and plain reasoning before the public and the country ; and the admissions of noble Lords will go before the public and the country, that but for a fortuitous combination of parties this Bill would never have passed through this or the other House of Parliament. The noble and learned Lord says that the Government is not likely to resign. He spoke as if he were supporting a Government in power. I don't doubt the sincerity of my noble and learned Friend's conviction that the Government are to remain in office. Perhaps he thinks that if the Government fall, the prospects of the country — of course, I mean—are not likely to be improved by it. I should not have troubled the House to-night but for the speech of my noble and learned Friend ; but I may be permitted to say why we are prepared to support an Amendment of which we do not wholly approve. In an early period of my public life I was rather disposed to approve of a fixed duty in preference to a sliding-scale, and I expressed that opinion in the House of Commons. Mr. Huskisson had the kindness to speak to me after the debate about the qualified opinion I entertained; and fully and clearly, as he always did, he entered with me, a young man, upon the grounds on which he thought a sliding-scale was preferable to a fixed duty. I yielded a ready assent to the arguments of one to whom I looked up with so much respect and consideration. Mr. Huskisson convinced me, and I have always been of opinion since, that the sliding-scale, as a measure, is better than a fixed duty—that it is a better protection to the producer in years of plenty, and a better protection to the consumer in years of scarcity, and when you require the introduction of a large amount of foreign corn. The noble Earl (the Earl of Wicklow) would not, then, have had my vote in favour of his Amendment if the question to me had been, "Will you have a fixed duty or a sliding-scale ?" My answer is, that, as a measure of protection, I infinitely prefer the sliding-scale; and if his Amendment had been moved before the second reading, or when there was a hope of inducing the House to come to a decision in favour of the sliding-scale, the noble Earl would have found me among the warmest opponents, as I am now a warm supporter, of his measure. The efficiency of the sliding-scale is, that it approaches the limits of exclusion in times of abundance, and the limits of free trade in times of scarcity. The greater the oscillations the more efficient the operation of the sliding-scale. But, as you have determined to alter and materially to amend the Corn Law—as you have rejected a proposal for continuing the sliding-scale, and are now asked to give your consideration to a fixed duty, I shall vote for that. I should have preferred a sliding-scale to a fixed duty; but I prefer a fixed duty to no protection at all. In as far as Ireland and Canada are concerned, the duty proposed by the noble Earl is a real and efficient protection, so far as it goes. There is another question which ought not to be overlooked—I mean the revenue that will be derived from a *5s.* fixed duty. The noble Earl at the Table spoke strongly on the increasing and dangerous tendency in our legislation to transfer all taxation from indirect to direct taxation. I agree with the danger. But if, Session after Session, you cut down whatever surplus you have by the reduction of all indirect taxation, with the further prospect of abolishing the income tax at the end of three years—if you give way on the Corn Laws this year, and on some other question next

—if you throw away a million now, another million next year, and another million the year after, the reduction of the income tax is rendered impossible by the course you are taking during the period of its proposed temporary continuance. You are travelling in a vicious circle, and the result is that a temporary measure of indirect taxation becomes of necessity a direct tax, and a direct tax to an amount that throws upon it the whole burdens of the country. I warn you of the danger of this course. The statement of the Chancellor of the Exchequer gives a surplus of 700,000*l.* this year, including the China ransom, and the ordinary amount received for foreign corn; the income during the last few years from the latter source has been fluctuating and various; but if we take the average at 700,000*l.*, we shall not be far from the mark. Look at the position in which you are placed. Your surplus of 700,000*l.* disappears after you have provided for the income of three-quarters of a year,; and you are now coming down with a proposal which will debar you of an average income of 700,000*l.*, and that without raising the price of corn in this country. Such a measure would be rash at any time, but, above all, when we know that the loss of the income tax is to be provided for three years hence. We do not know what the situation of the country may be then. We don't know who the Government may be then. There is reason to believe—at least, I believe—notwithstanding what has fallen from the noble and learned Lord, that it is not likely to be the present Government. Is it fair, then, for you to say that you have provided for the revenue of this year, but that it is impossible for you to raise what has brought us in 700,000*l.*, and this contemporaneously with the reduction of the income tax, which has given us 5,000,000*l.*? Surely this is not prudent; and it is hardly fair to those who succeed you. You may have a new Government, but you must have a new Parliament, which must be called together to discuss and decide on the duties that ought to be imposed, and the policy that ought to be pursued, with respect to the revenue. Therefore, I say, you are called upon to adopt this Amendment with respect to the present revenue —with respect to fairness to succeeding Ministers—with respect to the exigencies, not only of the present time, but of the time to come; but, above all, with respect to the interests of the people of this country and their right to be consulted, of which I shall say no more than that if ever there was an occasion in which they had a right to have a voice in the final settlement of a question, it is in the one now under discussion. But, instead of that, you absolutely refuse to leave to a future Parliament that which must be legislated on by a future Parliament. You insist upon now cutting off future means of revenue—you insist upon now laying down future rules of conduct, not for yourselves, but for your successors—not for this, but for a succeeding Parliament—not for the constituency who returned this Parliament, but the constituency which is to return the next Parliament; and if I wanted an additional argument in favour of the continuance, until another Parliament is summoned, of a moderate fixed duty, bringing in an unoppressive revenue into the Exchequer, I should find it in the statement to which I have already called your Lordships' attention, that this measure never would have been passed but for other considerations wholly alien to it, and for a combination of parties having no reference to the political merits of the question.

The MARQUESS of LANSDOWNE was anxious to address a few words to the House before coming to, if not the last, at any rate the most decisive division that would take place on this question; and, in doing so, he assured the House that, but with one exception, he should confine himself, in the few remarks he should make, to the question immediately under discussion. That exception was to set his noble and learned Friend (Lord Brougham) right upon a subject on which he (Lord Lansdowne) was sure, not from any want of zeal, not from any want of activity, not from any want of inquiry, he had not shown himself perfectly lucid. The noble and learned Lord had described, with that power of eloquence which belonged to him, the chimerical alarms of the protectionists upon the subject of this Bill. He had nevertheless shown to their Lordships that he had formed to himself a chimera of his own; and the alarm which he had for some time past experienced at the possible unanimity of some parties in the State who were now disunited, and the possible agreement of some descriptions of persons who had not hitherto been agreed, had so alarmed and excited the imagination of his noble and learned Friend, that he had thought it necessary to provide himself with information from all quarters, that

should enable him to guard that House and the people of this country against those dreadful machinations, the result of which was likely to be something like agreement. He (Lord Lansdowne) did not know whether such possible agreement would be the misfortune which the noble and learned Lord seemed to dread; but whilst he fed on the chimera, the noble and learned Lord had endeavoured most unsuccessfully to provide himself with information on the subject. His noble Friend's search after information had not confined itself to this or the other House of Parliament; but had extended to private houses, from which he had provided himself with not very accurate reports. But there was one house to which his noble Friend had thought fit to allude, with respect to which he (Lord Lansdowne) humbly conceived he had the means of giving more accurate information than the noble and learned Lord. Now, with that information in his possession, he begged distinctly to state that what took place in that private house, to which he would not have alluded if the noble and learned Lord had not done so, was the reverse of what he had stated. It related in no degree whatever to the Corn Bill, but solely to what was called the Coercion Bill; and the only advice given by the person in that meeting who was most likely to influence its decisions, was not to protract the discussion upon the Coercion Bill. He would not leave this subject without stating, that however he might differ in opinion from him on this Bill, and on some points connected with it, he entirely agreed with his noble Friend the late Secretary for the Colonies when he said that with respect either to the Corn Bill or to the Coercion Bill, it would be disgraceful to all men and all parties in the Legislature, if they were to shape their conduct upon those Bills with reference to the attainment of any collateral object, or to sacrifice the one Bill for the other; and he solemnly assured the House that he for one had subscribed to no step being taken the object of which was directly or indirectly to affect the progress of either of these great measures in any other sense than in the lawful and Parliamentary sense of publicly declaring his opinion. That was the conduct he had pursued, and would pursue; and without troubling himself as to what or any coalitions or changes of Government might take place, he would stedfastly adhere to the purpose of securing for the country, upon such questions as these, the benefit of that settlement which would most effectually contribute to its future tranquillity and future happiness. Having now set this matter at rest, he begged, in explanation of the vote he was about to give, to say that in the knowledge of the vast store of ammunition which existed within a hundred yards of where they then stood—he meant the volumes of *Hansard*, which had been opened as batteries during the course of this debate, and which he must say had been ably served, and, in the circumstances, successfully directed; but, nevertheless, with the knowledge of the existence of those volumes and that ammunition, he safely defied any person to point out any passage in the speeches which he had at any time addressed to the House in which he had supported a fixed duty in any other sense than for the purposes of revenue. It never had been his opinion, and he had the misfortune to differ in this respect from the great authority of his noble and learned Friend, who had once advocated a fixed duty. [Lord BROUGHAM: When?] In the year 1825; no matter whether 1827 or 1825, his noble and learned Friend would recollect it. His noble and learned Friend then pointed out all the mischiefs of a sliding-scale, which he now said he preferred to a fixed duty. His noble Friend then recommended a fixed duty for the purpose of protection, though he allowed that a sliding-scale might do well enough for revenue; "give me a fixed duty," said his noble and learned Friend, for the purpose of protection. But he (the Marquess of Lansdowne) had wished to see a fixed duty adopted for the purpose of revenue. Even now he considered that a low fixed duty for the purposes of revenue was desirable. He could not adopt the opinion of his noble and learned Friend that a revenue was worth nothing because it was larger in one year and smaller in another; it would still yield something. Nor was he willing to overlook it as a means of obtaining the support of others to a change which he thought necessary. Revenue was not to be considered as protective in its effects when it was generally spread over all articles of import. It was quite a different thing to protect a particular interest when other interests were not protected, when they were compelled to raise a revenue for the service of the country, and to omit one particular interest, because the effect of the latter course would be to divert capi-

tal from one species of employment, and give an artificial bounty on its being employed in another. He was bound to admit that this consideration had some force at present; but it had less force than it possessed a few years ago, for this simple reason, that the number of duties on customs articles had been considerably diminished, and that, consequently, the same claim did not exist to the same extent as before for imposing a fixed duty on this particular article. He certainly should have been prepared, at any other time, to contend that such a duty, though it might have the effect of raising prices in a certain degree, would not do so in the degree and to the amount of its imposition, because the greater amount, if not the whole, would be paid by the foreigner. But that being his opinion, while he saw that the noble Earl opposite (the Earl of Wicklow) had adopted the child of others, and had taken a reduced amount of duty, still he could not say either that the amount of duty which he (the Marquess of Lansdowne) regarded, or the amount of protection which other noble Lords might regard, was worth contending for in comparison with the prospect of settling this question. The inclination which he had felt of replying to the noble Earl, had he had the opportunity of doing so, in the early part of this discussion, had been greatly diminished by all that had passed in the course of this debate; they had heard a great many arguments in favour of the Motion of the noble Earl, but not one argument except his own in favour of a fixed duty, which was the object of that Motion. There was not one noble Lord who had not thought it necessary, in supporting the Motion of the noble Earl, to disclaim being a friend to this particular system which he was desirous of introducing. Noble Lords opposite told them they were about to adopt the child of that side of the House; but those who acted with him were obliged to look to the sort of treatment their child would receive in such hands. No one who had heard the noble Duke on the cross-benches, and noble Lords opposite, could doubt that if they gave up their child to be nurtured by noble Lords opposite, not a great many months would elapse before it would cease to have any existence at all. It was not concealed that the object of proposing this scheme was to obtain first the rejection of the present Bill, and next a dissolution of Parliament. If noble Lords succeeded in those objects, would any one tell him that in a general election they would use their endeavours to obtain a majority from the country favourable to a fixed duty? He was persuaded they would use every effort to get a majority favourable to absolute protection, and then there would be an end of the child they had placed in the hands of noble Lords opposite. It was only as a last expedient, a *dernier ressort*, that this fixed duty was proposed, and for the mere purpose of dragging down this Bill into the bottomless sea from which no noble Lord opposite would wish to see it extracted. He, therefore, said he was justified in looking at this Motion as an attempt, though not an unparliamentary one, to extinguish this Bill altogether, which he was not prepared to do. On the contrary, he was prepared to make sacrifices for the purpose of enabling this Bill to become the law of the land. He was in favour of its becoming law, because he was sanguine enough to hope that it would prove to be the settlement of this question. It had been asserted by the noble Duke (the Duke of Buckingham) as well as other noble Lords who had spoken, that by passing this Bill they would not get rid of the agitation on this question. He (the Marquess of Lansdowne) believed, however, that after this Bill had passed it would be much more difficult to raise anything like a clamour out of doors on this subject. He was not going to indulge in prophecies, the danger and difficulties of which he knew on all occasions, but particularly with regard to such a measure as this; but this he would say, that at the end of three, or four, or five years —he could not say which—but after the lapse of a few years this question could not remain in its present position. The experience of the country with respect to that law will have furnished evidence which will take away the power of noble Lords to agitate the country on the subject, at least if the result was such as he was sanguine enough to expect. If that should not be the case, however, and if the predictions of the noble Lord opposite were verified, there was no doubt that there would be witnessed a great revulsion of opinion—if agriculture, as noble Lords had prophesied, were deeply injured, and the manufacturing interest also in a state of suffering—and the prosperity of those interests could not be separated—if those who expected good results from the Bill found themselves deceived—and that the

agricultural and manufacturing interests suffered under its operation according to the prediction of the noble Lord opposite, then there would be a union of opinion upon the subject, which would make it no matter of difficulty to procure with calmness and without agitation a review of the whole question. If however, as he believed, that by the passing of this measure we were destined for years to come, instead of a few months, to agitation and troubled waters as a necessary concomitant, they might perhaps pause before they adopted this measure; but he did not believe that there was the slightest danger of any such occurrence; and, therefore, because he did not believe it he would support this measure. It was not his intention to appeal, and he never had appealed, as an argument, to the probable effects which this measure would produce on the price of food; he had never excited any opposition to the Corn Laws on the score of their repeal being calculated to produce a great and sudden change of prices; for, notwithstanding that it would have a tendency to that effect, it would not effect so much in producing cheaper food, as in preventing an undue rise in the price of food, and giving greater security by that effect. He would not recur at length to arguments which had so frequently been used during the course of the debate, in order to satisfy their Lordships that the apprehensions of a sudden rush of food from other countries to such an extent as to overwhelm this country were unfounded; but there was one argument to which he attached very much importance with regard to this subject; that was the case of Ireland. That afforded an argument which had not as yet been answered. He would ask their Lordships to consider whether when Ireland, which was alongside England, and was charged with what would appear from the statements of those who dreaded that sudden rush of food to be the elements of mischief, cheap food, cheap labour, and rivers and steamers to convey her produce to this country —he would beseech their Lordships to see what little effect that facility of sending cheap corn to this country had produced— to consider what had been its absence of effect for the last forty years; and when they had considered that, he would ask how they could entertain any just apprehensions of this country being inundated with cheap food from countries which, though they were in possession of the same means of mischief, were yet so much more distant? He found from the best authority, that the proportion of agricultural labour in Great Britain and Ireland was as follows: In Great Britain, there were employed in agricultural labour 1,050,000 persons, whilst in Ireland there were 1,100,000 persons engaged in agriculture. In Great Britain the produce of agriculture was valued at 34,000,000*l.*, and in Ireland the produce was only estimated at 14,000,000*l.*; thus showing that five labourers in Ireland produced only the same amount as two labourers in Great Britain. He did not mean to join in censures on the Irish landlords; he believed that many of them had been much maligned; he believed that many of them devoted much attention to the improvement of the cultivation of land in Ireland; and he, of course, did not suppose that they paid less attention to the cultivation of their estates than the German barons or Russian boyards: and yet we were told that the proprietors in these countries were to inundate the country with cheap corn. From the example of Ireland he could not believe that any such effect would take place, as well as from his experience of every other case where he had seen duties taken off. In every one of these cases the effect produced was no great diminution in the value of the article, but a great increase in the amount of our commerce, which was so essential to our national prosperity; and upon the effect of such removals of duties on the commerce of the country he founded his approbation of the Bill. He believed that whilst it would tend to diminish prices of food, it would compensate the owner of land, the occupier, and the labourer on the land by the demand caused by the advanced condition of the population; and that thus a power would be obtained sufficient to bear down the effect of the measure on prices, and to bear up agriculture as connected with the commercial interest of this great country. He hoped, therefore, that this Bill would pass into a law.

LORD BROUGHAM rose amid loud cries of "Question," but claimed a right to be heard in explanation. If any noble Lord thought that he did justice in listening to the attack, and attempting to clamour down the defence, he differed from that noble Lord as to what was justice and what was becoming a nobleman or a gentleman. That was his opinion; he might have formed an erroneous view of both those characters, but that was his opinion; and therefore he asked their attention while he de-

fended himself from the attack of his noble Friend. His noble Friend most grievously misapprehended him if he thought that he (Lord Brougham) meant to cast on him (the Marquess of Lansdowne) the slightest reflection as to the purity of his conduct. His noble Friend appeared to think he had done so; for his noble Friend defended his own conduct. He had known his noble Friend now upwards of half a century; and he had never known his noble Friend to act so as to require even an explanation. But would not any noble Lord think from what fell from his noble Friend that he (Lord Brougham) had been playing the unworthy part of collecting information, as an eavesdropper, of spying into what passed at a meeting within the walls of a private mansion —of collecting that information from reporters or secret informers? What if that meeting had been attended by from sixty to eighty persons—what if it had been summoned by circular—what if the members when they dispersed, talked of what had passed at the corner of every street—what if they spoke about it in the privacy of every club where persons who were politicians and persons who were not politicians passed their time—what if reports of that private meeting, held at a private mansion, appeared in the newspapers to the length of a column and a half, as he had read in a newspaper that was brought to him by a friend of his, who was not at the meeting, but who was a sincere friend of the Corn Bill? Surely, there was an end of privacy —an end of private information—an end of violating the sanctity of private dwellings—an end of unduly obtaining information by means of secret informers—an end of the advice which his noble Friend had given him, that when next he employed reporters he should provide persons who would give no inaccurate reports. The friend he had mentioned was greatly alarmed at the probable risk to which that meeting exposed the passing of the Corn Bill; and it was told him by a person who was not at the meeting that part of what passed (which was not mentioned in the report) was some advice given respecting the passing of the Coercion Bill. That was suppressed in the report. He then asked why that part was suppressed; he was told that it was thought it ought not to be made public during the debates on the Coercion Bill. There was, therefore, something said at the meeting about the passing of the Coercion Bill; and now they were to be told that advice was given, not to protract the debates on it, but dissuading from protracting them. He then went to two other friends of his, and they told him that some members of the meeting had then said, "We will take care that the division on the Coercion Bill does not take place until the Corn Bill has passed in the Lords." His noble Friend had said that the meeting was strongly recommended not to protract the debates on the Coercion Bill. [The Marquess of LANSDOWNE: I said, not to unduly protract.] Then his noble Friend had got into a dilemma, for either the advice was qualified, and was not unduly to protract, which meant to protract, but not unduly, or the noble person who gave that advice had no power or influence on those to whom he gave it; for anything less followed, anything more entirely continued and acted against than that advice had been, he (Lord Brougham) had never seen. With respect to the remarks of his noble Friend (Lord Stanley) applying to himself, he must say that a less fair or more extraordinary course — he would say, with all kindness to his noble Friend, a more unscrupulous course, than his noble Friend had taken he never saw in any place; for his noble Friend, in order to introduce his quotation—a very excellent joke, he admitted—had put in a word which he (Lord Brougham) had never used, which he never had an idea of using, and which his noble Friend could not have imagined that he used. He never dreamt of using that word—a word which he, at his time of life, as well as his noble Friend at his less advanced time of life, had both of them the greatest possible interest in rasing out of their vocabularies. Such a mere invention was resorted to for the purpose of introducing a quotation in jest. But there was another thing said by his noble Friend of a different kind, of a more serious nature. He was astonished at, and must most indignantly repel and cast from him, the insinuation with which the noble Lord closed his remarks. He (Lord Brougham) stated that he believed the present Government would not fulfil the wishes of those who desired to see a change of Administration; that there would be no change; and his noble Friend took upon him to state that no doubt he (Lord Brougham) was showing, by the zeal of his defence, that he was defending a Government that was not going out. That statement was cheered by some, apparently ignorant of the history of the last seven years, and the proceedings in Parliament during that time. It was cheered by some

who had not access to know the facts as his noble Friend (Lord Stanley) knew them. He defied any man breathing to cast the shadow of a shade of an imputation on his motives in defending the measures of the present Government. He asked what he had gained by taking part with the present Government? He called on all the noble Lords who sat there, and with whom he was joined in the defence of their measures, in the defence of their official conduct and Ministerial existence, from his noble and gallant Friend the noble Duke opposite, who knew what he alluded to, down to the latest admitted into the Cabinet, who knew it less, or not at all, as they were not in the Cabinet at the time—he called upon all of them to say if there was the shadow of an imputation upon the motives, the absolute and necessary purity of the motives, which led to his defence of this Government. It was no fault of others—it was his fault, and his fault only, that he was out of office, a supporter merely, and a friend, of the present Government. That Government was no sooner formed than he declined, firmly but respectfully declined, most high and brilliant offers, and coupled with absolute political independence. This should not have been wrung from him but for the imputation conveyed (unintentionally, he believed), by his noble Friend. He certainly had chosen to be unconnected with office, to hold no office, either judicial or otherwise, in, or in connexion with, the present Government, for reasons of his own, for reasons applying to his own personal convenience, and from no want of respect for its Members, from no want of confidence in them, or want of friendship for them individually. He could not allow that debate to close without making this statement. When it was said to a man that the Government was not "likely to change because he defended them so well," what was it but to cast an imputation on his motives for so defending them? One word more. He had never cast any imputation on the motives of the protection party. He had never blamed them for their opinions, but he had blamed them for not using better tactics for the defeat of this measure. His statement was, that they might have protracted the debate till a change in the Government took place; and that they might thus have defeated the Bill, which he rejoiced they had not: nothing more had he said in the matter. He had to apologize to their Lordships for detaining them, and would not enter into the question before the House, except to say that *5s.* was no measure for the protection of the home-market.

The EARL of BESBOROUGH wished to say a few words in relation to the meeting to which the noble and learned Lord had referred, and which had taken place at the House of a noble Friend. It was right he should state that the meeting was one of that description the nature of which the noble and learned Lord knew as well as he did. It was held in reference to one particular question, the Coercion Bill; and was in no way connected with the Corn Bill. That meeting took place at the House of his noble Friend, in order that he might consult those with whom he usually acted as to what should be done with that measure: there were present from sixty to seventy, or more persons, and among those a great number connected with Ireland. He asserted, distinctly, that no reference was made to any such proposal as postponing the discussion on the Coercion Bill till the Corn Bill had passed—that there was nothing stated in reference to any connection between different parties, though undoubtedly there were many at that meeting connected with Ireland, who stated distinctly that they had committed themselves to their constituencies to give every opposition in their power to the Coercion Bill, and that the probability was the discussion would be protracted considerably longer than those connected with the representation of this country might have wished. [Lord BROUGHAM: Beyond the Corn Bill.] No, he did not say that; on the contrary, it was the anxious wish of the meeting that the discussion should not be protracted unnecessarily. The noble Lord in whose House they met more than once pressed them not to protract it longer than was necessary; and he begged once more to repeat that there was no intimation, directly or indirectly, with regard to the Corn Bill as to any advice given to protract the one debate for the purpose of having the other finished.

LORD BROUGHAM: Then my informant has been very much in fault.

On Question "To insert after the word 'wheat' the words 'not being the production of our Colonies, five shillings':"—Contents 107; Not-Contents 140: Majority 33.

So it was resolved in the negative.

House resumed.

House adjourned.

HOUSE OF COMMONS,

Tuesday, June 16, 1846.

MINUTES.] PUBLIC BILLS.—1°· Administration of Justice.

Reported. County Works Presentments (Ireland) Amendment.

PETITIONS PRESENTED. By several hon. Members, from various places, praying the House to pass a Bill for Compensating Proprietors of Land for Sites for Free Churches (Scotland), and for securing Accommodation to the Congregations.—By several hon. Members, from a number of places, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on the Sabbath.—By Mr. Moffatt, from Merchants and others interested in the Sugar Trade, for Alteration of Duty on Sugar.—By Mr. John Abel Smith, from Manufacturers of Tobacco and Snuff in the Port of London, for Reduction of Duty on Tobacco.—From Richard Sargent, of No. 10, Norfolk Street, Strand, in the County of Middlesex, Gentleman, 'praying that leave may be given to an Officer of the House to attend the Trial of an Action in the Court of Queen's Bench, and produce the Maps and Plans of the Great Munster Railway.—From Inhabitants of the Parish of All Saints, Wandsworth, in the County of Surrey, for Revision and Alteration of the Laws relating to Jurors.—By Mr. Richard Hodgson, from Passengers travelling between Birmingham and Bristol by Railway on the 8th, 10th, 11th, and 12th Days of June, and from Persons engaged in the Trade of Public Carriers, for carrying out the Recommendation of Her Majesty's Commissioners, who have lately reported on the Gauge Question, and establish, at the earliest possible Period, a National Uniformity of Gauge.—By several hon. Members, from various places, against the Abolition of existing Religious Tests in the Universities of Scotland.—From Vicar and Parishioners of Boldre, in the County of Southampton, against the Union of the Sees of Saint Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the Newly Erected See of Manchester.—By Mr. O'Connell, from Irish Residents in England, against the Protection of Life Ireland) Bill.—By several hon. Members, from various places, against the Rating of Tenements Bill.

RAILWAYS—THE BROAD AND NARROW GAUGE.

SIR G. CLERK rose, pursuant to notice, to move adoption of the recommendations contained in the Minute of the Board of Trade of the 6th of June, 1846, on Report of Commissioners for Inquiring into the Gauge of Railways, as follows:—

"1. That no line of railway shall hereafter be formed on any other than the four feet eight and a half inch gauge, excepting lines to the south of the existing line from London to Bristol, and excepting small branches of a few miles in length, in immediate connexion with the Great Western and South Western Railways; but that no such line, as above excepted, shall be sanctioned by Parliament, unless a special Report shall have been made by the Committee on the Bill, setting forth the reasons which have led the Committee to advise that such line should be formed on any other than the four feet eight and a half inch gauge.

"2. That, unless by the consent of the Legislature, it shall not be permitted to the directors of any railway company to alter the gauge of such railway.

"3. That, in order to complete the general chain of narrow gauge communication from the north of England to the southern coasts, and to the port of Bristol, any suitable measures should be promoted to form a narrow gauge link from Gloucester to Bristol, and also from Oxford to Basingstoke, or by any other shorter route connecting the proposed Rugby and Oxford line with the South Western Railway.

"4. That the South Wales line, and its branches to Monmouth and Hereford, should be permitted to be formed on the broad gauge, as sanctioned by their Act.

"5. That the Rugby and Oxford line, and the Oxford, Worcester, and Wolverhampton line, should be permitted to be formed on the broad gauge, as sanctioned by their acts; that the Lords of the Committee of the Privy Council for Trade shall exercise the powers conferred upon them by the several Acts, and shall require that additional narrow gauge rails shall forthwith be laid down from Rugby to Oxford, and from Wolverhampton to the junction with the Birmingham and Gloucester line; and that if it should hereafter appear that there is a traffic requiring accommodation on the narrow gauge from the Staffordshire districts to the southern coast, any suitable measure shall be promoted by Parliament to form a narrow gauge link from Oxford to the line of the Birmingham and Gloucester Railway."

The subject which he now brought before the House was one of very great importance, and which had created a very great degree of interest in the country for some time past. It was the question of the gauge on which railroads should hereafter be constructed in this country, and whether any and what measures should be taken to prevent hereafter the inconvenience which had arisen from the want of an uniformity of gauge throughout the kingdom. The House would remember, that last Session, in consequence of the discussion which took place on the Oxford, Worcester, and Wolverhampton Railway, which it was proposed to construct upon the broad gauge, that House, on the Motion of the hon. Member for Stockport, agreed to an Address to Her Majesty for the appointment of a Commission to inquire what measures could be taken to ensure uniformity of gauge, and secure the public from the inconveniences which had been found to attend the break of gauge. That Commission was appointed, and devoted time and attention to the subject. The Report of the Commission had been some time before the House. It had been referred by the Government to the Board of Trade, that they might consider what practical measures could be adopted to carry into effect the recommendations of the Commission. A minute, embodying the opinion of the Board of Trade on the subject, was laid on the Table of the House (about a week since), and it now became

his duty to ask the House practically to agree in the conclusions to which the Commission had come. He believed, in the first place, that no difference of opinion existed as to the great inconvenience which a want of uniformity of gauge in all the railroads throughout Great Britain occasioned, or that wherever a break of gauge occurred, there an interruption of the communication took place; and the effect was to detract from that convenience which the public derived from that rapid and cheap communication they now had by means of railroads. But, while admitting all these things, there were other considerations which required to be borne in mind. When it was remembered that the Legislature had sanctioned more than one width of railways, and that a vast amount of capital had been expended on these different gauges, it would be a matter of very great difficulty, almost of impossibility, to require, at the present moment, that either party should alter their gauge. The Commissioners felt that very strongly. They stated, that they felt it would be impossible to call on parties so situated, to make, at their own expense, an alteration which it was calculated would cost at least 1,000,000*l.* sterling. Nor were they prepared, on the other hand, to recommend that so large a charge as this should be thrown on the public. As, then, it did not seem possible to bring all railways to the uniform standard of width, the next thing was to consider how far the inconveniences attending a want of uniformity could be mitigated, or brought within the smallest limits. Various mechanical contrivances were submitted to the Commission; but, although they admitted their great ingenuity, they were not prepared to say that any of them were calculated altogether to remove the evils attending a break of gauge. The question was, therefore, narrowed to the consideration of what measures could be adopted to prevent the further extension of the existing inconvenience, and to reduce it as to existing railroads, and those which were in progress of construction, to the narrowest possible limits. First, then, as to railroads which had been for some time constructed, and were open to the public. As he had already said, it was felt to be utterly impossible to call on the Great Western Railway Company to incur the expense of altering their gauge (involving, as it did, an alteration of the whole of their carriages and stock); or, on the other hand, that that expense could be thrown upon the public. Nor even could they be called on to adopt the modified measure of laying down a narrow gauge by the side of their broad one. Next came the case of those railways which had received the sanction of Parliament on the broad gauge principle, and which were in a course of construction. First in importance of these was the South Devon Railway, a considerable part of which was constructed, and the whole was in rapid progress. This line, it appeared, was substantially an extension of the Great Western; and if an alteration of the gauge was required on that line, the effect would but be to introduce a new break of gauge at Exeter, or at whatever other point that railway might join the Great Western. The same reasons had induced the Commissioners and the Board of Trade to give a preference to the line through South Wales that was in connexion with the Great Western Railway; because, although it was true that hereafter there might be very extensive traffic between South and North Wales, and the manufacturing districts of England, yet it had been thought important to secure a line from London to Pembroke, and Fishguard on one gauge, so as to secure an uniform communication without interruption with our naval establishment at Pembroke. It was, therefore, thought better that the South Wales line and its branches should be on the broad gauge, as sanctioned by the Act of Parliament. But there were two other lines to which the sanction of Parliament had been obtained last Session. Those to which he had already referred, ran in an easterly and westerly direction. But one of the two to which he now referred, passed considerably to the northward of the Great Western main line. In the Act for the Oxford and Rugby Railway, a clause had been introduced, authorizing the Board of Trade to call on the company to run a double line of rail—one suited to the narrow gauge as well as the wide gauge rail. The same rule applied to a portion (not to the whole) of the Oxford, Worcester, and Wolververhampton line. This was considered more just and equitable than to require that the companies in question should alter their gauge. It was felt, also, that if a break of gauge must take place, it would be less inconvenient at Oxford than at Rugby. The Board of Trade were also anxious, in furtherance of the recommendations of the Commissioners, to accom-

plish this double line of rail on the lines in question; because, after the Oxford and Rugby line crossed the Great Western, if a narrow gauge communication were opened to the South Western line, a continuous communication on the narrow gauge would be afforded between the manufacturing districts of England and the port of Southampton on the one hand, and those other parts of the south of England where the narrow gauge prevailed. With respect, however, to Bills now before Parliament, and any other railroads hereafter to be constructed, they were disposed to concur in the recommendation of the Gauge Commissioners, that Parliament should sanction none but the narrow gauge of four feet eight and a half inches; at the same time, that recommendation would not be adopted without qualification, or it would extend the very inconvenience which it was desired to remove: because all the extensions of the South Wales line lay to the south of that line, and would have no communication with London by the Great Western Railway, if they were obliged to construct their lines on the narrow gauge, without creating a break of gauge at every point where those lines touched the Great Western. It had been thought necessary to confine permission for constructing new railways on the broad gauge to lines stretching only a few miles from the main line of the Great Western, and which were made for the purpose of opening communications with the populous towns in the neighbourhood, but which were not to form, hereafter, parts of any longer line communicating with the manufacturing districts. If, then, the House agreed with the Commissioners in their recommendation, they would be prepared to resist any attempts that might be made to extend the broad gauge to the northward of the Great Western, unless in the cases he had just mentioned. The Commissioners also were of opinion that in every case of such short branch lines from the Great Western, the Committees should report specially to the House. The Resolutions proposed by the Board of Trade, therefore, coincided with the recommendations of the Gauge Commission, except with respect to those lines south of the Great Western, which he had already specified, and those short lines to the north to which he had last referred. He had already stated the opinion of the Commission, that it was impossible to call upon the public or the Great Western Company to be at the expense of an alteration of the gauge. They thought it most desirable, however, that such an alteration should have been made if any equitable arrangement could have been agreed upon. There was no subject to which the noble Lord the President of the Board of Trade and himself (Sir G. Clerk) had given more attention than to the discovery of such equitable means; but they had been totally unable to discover any that would not entail great injustice to the parties, or expense to the public; and they considered that, on the whole, any great or material inconvenience would be prevented by the modification which he now proposed. With respect to the two lines, as to which they proposed that there should be double lines of rails, he begged to say that that was not a system which they were prepared to recommend generally; but he should add, that they also proposed that that arrangement should take effect on that part of the Birmingham and Bristol railway which lay between Gloucester and Bristol. There were serious objections to the adoption of such a system generally, and they were not prepared to recommend it, more especially not its indefinite extension in the northern parts of England. By the proposed arrangements, it was by no means intended to create a prejudice against any other more general scheme for constructing a railway on the narrow gauge that should run from the north to the south—from the manufacturing districts to the port of Southampton. They thought also that there should be an unbroken gauge from Birmingham to Bristol. The place where the evil of the break of gauge was most felt was at Gloucester, because the greater portion of the traffic to Gloucester was intended, not for Gloucester, but for Bristol, which was the great port. These were the measures which, after the best consideration of the Report of the Gauge Commission, the Government had felt it their duty to propose. They were in accordance with the recommendations of the Gauge Commission, modified, however, in reference to the Great Western and its subordinate lines. Provision was made for an unbroken communication on the narrow gauge to Bristol, and to the south. The proposition now made could not be considered a complete remedy; but the Government had gone as far as lay in their power. It was a question whether it was desirable to ask the Great Western to alter its gauge from the broad to the narrow. The system of railroads was in its infancy. The Commis-

sioners pointed out the advantages which they thought the broad gauge had, in some respects, over the narrow, while they stated at the same time that, for the purposes of general traffic, the narrow gauge had its peculiar advantages, which, on the whole, induced them to give it the preference. But the House would recollect the improvements which had been introduced by the Great Western Railway in reference to the acceleration of trains and other matters. The narrow gauge lines had come up to the other, and were able very nearly to equal them; but at the same time the broad gauge lines could employ engines of much greater power than could be used upon the narrow gauge railways. With the experience now acquired, it was highly probable that if all the railways were to be constructed for the first time, a gauge somewhat wider than that of four feet eight and a half inches might be adopted. The narrow gauge carriages afforded ample accommodation for three persons from side to side, and till that width were reached at which a fourth could be comfortably seated, the effect of an enlargement would only be to incur expense and trouble without receiving any corresponding remuneration. Under all these circumstances, he was not disposed to think that there was absolutely any very great superiority of the one gauge over the other. It was impossible to say, after what had taken place within the last twenty years, how much the capabilities of railroads might be developed if an opportunity were afforded of trying experiments upon the larger gauge; and he thought that an opportunity should still be afforded for such experiments, provided no inconvenience resulted from their continuance. The Government, feeling that they could not urge a change in reference to the broad lines already existing, had endeavoured to effect an arrangement with a due regard to the interests of the companies which had constructed those lines, coupled with such recommendations as might secure for them the co-operation of those railways with which they were especially connected. The right hon. Gentleman concluded by moving the first Resolution.

MR. LABOUCHERE considered the question one of the most difficult and important that had ever been submitted by the Government to the House of Commons. He was happy to express his opinion, that in the course taken by the Government, they had upon the whole adopted a discreet and prudent line. He should, however, make a few observations on some parts of the Resolutions, which were not, he thought, carried out in the spirit of the right hon. Gentleman's recommendations quite so fully as might be desired. He could understand the principle on which the recommendations of the Government were founded. There were two gauges existing in the railway system of this country, but by far the greater portion consisted of the narrow gauge; the evils of a break of gauge were considerable; and the question for the Government was to determine how they should meet that difficulty. They might with the Commissioners recommend one uniform gauge, of which the advantages were great and manifold; and if he (Mr. Labouchere) thought that a question of paramount importance, if he thought it exceedingly for the interest of the country that all the railways should be on the narrow gauge, the consideration that a million of money was involved would not prevent him from proceeding to effect the change. It would of course be the height of injustice to throw the expense upon the railway companies. They had received the guarantee of Parliament in reference to the broad gauge; and it was not to be expected that those companies should, for the public convenience, adopt the narrow gauge. But though there were, undoubtedly, great advantages in having one uniform gauge throughout the country, there were yet considerations in the opposite direction which would make him—finding the broad gauge in operation—hesitate before he insisted on a complete change in favour of the narrow gauge. He would not enter on a consideration of the comparative merits of the two gauges; but no one who had travelled on the Great Western could question that, with the power of its engines, and the scale of its operations, it constituted a very magnificent and noble undertaking, of which the country had reason to be proud, and which ought not to be put down by hasty interference. The public, besides, had partly benefited by the competition among railways. In regard to the accommodation of the public, and in other respects, the rivalry and jealousy which existed between these two systems, produced very great advantages to the country at large. Considering that they were but at the beginning of railway experience, that every year new improve-

ments were brought to light, that new applications were made of the resources of science to facilitate the transport of passengers and goods, he for one would be sorry to suppress one of these rival systems altogether, and to say there should be no broad gauge at all in England. He thought the advantage which he had now stated was no mean advantage to set against the obvious disadvantage of a variation of gauge. There were, however, evils attending diversity of gauge which, *ceteris paribus*, were quite sufficient to induce the House to determine that the gauge to be adopted on new railways should be the gauge which had been adopted in the majority of cases. He, therefore, concurred in the recommendations made by the Government; first, not to disturb the broad gauge where it existed, and to let it be extended to railways which were continuations of a railway where the broad gauge already existed, and where, if a change were enforced, from the broad to the narrow gauge, the very evil of which complaint was made would be introduced. In this, the main recommendation made by Her Majesty's Government, he entirely concurred. There was, however, one part of their recommendation which was of a very nice and difficult character. In two instances the Government had recommended the House to sanction a double gauge, namely, the broad and the narrow together. He, therefore, supposed that no engineering difficulties of an insuperable nature existed in those cases. If in any instance the public was to receive the advantage of the double system, it was a question worthy of consideration whether the principle ought not to be still further extended. It ought, indeed, to be so only in special cases. But there were two cases which had particularly struck his mind as cases requiring its application; he referred to these two lines of railway, the Birmingham and Oxford, and the Birmingham, Dudley, and Wolverhampton railways. If these were constructed on the narrow line alone, the result would be that between Birmingham and London there would not be, by those routes, a line of railway communication without a break of gauge; and he wished to suggest to the Government whether it might not be made permissive, nay, obligatory on these companies to establish the double gauge upon their lines. In the present state of railway legislation, it was impossible to draw distinctions as to the gauges; but there were one or two points on which the House could agree. The principle that no railway should be allowed to be constructed upon the broad gauge alone was an intelligible principle. The question was one which ought not to be decided by a Committee of the House of Commons. It was a question to be decided on a view of the whole railway system of England by a responsible department of the Government. The interference of Government was not only justified, but absolutely necessary. There was nothing incompatible with this course in the resolutions proposed by the right hon. Gentleman; but if there were, he (Mr. Labouchere) should be inclined to move a series of resolutions himself, for the purpose of taking the opinions of the House on the subject. In one of the resolutions, powers which they already possessed were conferred on the Lords of the Privy Council; so that the provision was superfluous. Probably the object was to give a connected view of the subject; and if so, the right hon. Gentleman might be induced to take into consideration the suggestions which he had now thrown out, with the view of rendering the resolutions complete. In conclusion, he had only to repeat his opinion that the Government had taken a wise and prudent course in the matter; and, though the resolutions admitted of amendment on some minute points, yet he approved of them so far as they went.

Mr. HUME could not agree with the right hon. Gentleman who had just sat down. The Government had not adopted the great national principle which they ought to have adopted. It was admitted that railroads were in their infancy, and therefore the House should not interpose obstacles in the way of improvement. The Gauge Commission had been appointed in compliance with the public wish. He was at first strongly in favour of the broad gauge; it was only from perusing the evidence and report produced by the Commission, that he was led to alter his opinion, and to adopt the conclusion that, as regarded the community, politically, commercially, and individually, the line which had been generally adopted was the best. No step should be taken incompatible with the adoption of one general scale. The break of gauge was a great evil. But, while the proprietors of the broad gauge lines deserved great credit for the spirit they had

shown in making experiments and improvements, the question was, considering that there were 2,500 miles of railroad, and that the extent might soon be three times as great, whether it were possible, with the evidence collected by the Commissioners, that the House could go back, so as to have the broad gauge established? He thought it impossible to take that course; and therefore every step should be taken to extend the narrow gauge. The differences of expense between the broad and the narrow gauge was estimated at from 5,000*l.* to 8,000*l.* per mile. It was now proposed to allow 500 miles of new railway to be constructed with the broad gauge; but every mile added to the number constructed on that principle increased the existing difficulty. Individuals should not be led to cherish the hope that the broad gauge might yet be generally introduced. The House ought to prevent any further deviation from the narrow gauge. There were 274 miles on the broad gauge at present; if they allowed it to extend 500 miles more, they would increase the points at which there would be very much break of gauge. Allusion had been made to the adoption of the broad gauge on the Welsh lines. The best judges in the country were agreed that it would be the worst system for that country; and he had been informed that even Mr. Brunel himself proposed to introduce the narrow gauge there. He was not prepared to say that further experience might not show the practicability of an intermediate gauge; but up to the present time the weight of evidence was undoubtedly in favour of the narrow gauge, and the opinion of the Commissioners was on the same side. He trusted, therefore, that the House would adopt their recommendation, and confine their decision to the first resolution, for this year at all events, waiting for further experience before they ventured beyond. One important consideration in favour of this course was the question of expense, which must in a great measure regulate the tolls. He therefore begged to move as an Amendment that all the Resolutions except the first be omitted.

SIR G. GREY was of opinion that the hon. Member's Amendment would tend to increase the evil of which he complained. The difference between his Amendment and the Resolution was simply, that the Amendment admitted of no exceptions, and would declare that all future lines must be on the narrow gauge. The South Devon line, now constructing, with a line into Cornwall, was a continuation of the Great Western, and unless they compelled that company to take up its broad line, they must allow its continuation to be made on the same scale. He did not quite understand whether the first resolution applied to railways that had obtained their Acts, and were now under construction, or only to lines that were then before Parliament: it ought to be more clearly expressed. With regard to the third and fifth, he thought Parliament ought not to give what amounted to a pledge that some certain plan should be adopted on the lines those resolutions would affect; they ought to withhold any expression of opinion on that subject till some definite scheme had been come to. To the fourth resolution he decidedly objected; he almost doubted if they could constitutionally adopt it. Could they tell companies whose Acts had been already passed, that they should not proceed according to them? As to the announcement of the intention of the Board of Trade to exercise the powers given it under former Acts, he thought it right it should do so; but, having so resolved, it should exercise those powers entirely on its own discretion and responsibility, and not shift it on Parliament by requiring an instruction. With these exceptions he was prepared to support the resolutions.

MR. ELLICE said, some decision ought undoubtedly to be come to in reference to the rival gauges. A Committee over which he had the honour to preside were placed in considerable difficulty arising from this very question. A proposition had been submitted to the decision of this Committee on behalf of the Great Western Company, to purchase, or in some other way to absorb within their own management, nearly the whole line from Birmingham to Bristol; and they proposed to establish this line on the narrow gauge. The difficulty he felt was this, and he had adjourned the Committee in order to await the decision upon these Resolutions. The Midland Company proposed to alter the broad gauge from Stoneham to Bristol to the narrow. That would be entirely consistent with the Resolutions of the House, and he might recommend the Committee to accept the plan submitted by the Midland Company. But there would come such a host of objections from counsel. If, then, he proposed that a double line should be made, the parties might decline on the ground of expense. He therefore should like to have

the instructions of the House, or rather of the Government, before he allowed the parties concerned to proceed farther in a contest of so costly a nature. He wished to be instructed whether he were to call upon these parties to construct two lines, or whether one route was to be within the other, or whether they were to be side by side. If he were to allow these things to be discussed by counsel and agents, a fortnight would be consumed. Was he to tell these parties that unless they would undertake to construct two lines, they should not have their Bill? If he were left to his own discretion, unguided by the Resolutions of that House, he would certainly make a direct application to the Board of Trade, and adjourn the Committee until he had received the reply of the Government.

Mr. C. RUSSELL declared his intention to support the Resolutions of the Government, and to oppose the Amendments of the hon. Member for Montrose. He felt bound, however, to state his opinion, that, as regarded the broad gauge companies, these Resolutions were in a high degree restrictive. The Government was, he admitted, beset with difficulties. They had to reconcile the conflicting claims of parties who had invested many millions under the sanction of the Legislature; they had to reconcile the conflicting opinions of engineers, and of speculative and practical men; they had also to deal with the Report of the Commission; and under all these circumstances, he thought that the Government had acted with great fairness. The Report of the Board of Trade was short, but it was plain and practical. It appeared to him to be founded on two principles—to mantain good faith with all, and to restrain within the narrowest possible limits the evils which must result from the break of gauge. He was not disposed to think that it was expedient to omit the second, third, and fourth resolutions. Those resolutions clearly pointed out the particular mode in which that principle should be carried out. When the Bills for those lines were passed, a condition was annexed by the Board of Trade, that the promoters of them would exercise the power of constructing an additional narrow gauge between Oxford and Rugby. The question had been started, whether the narrow-gauge line could be constructed with safety and propriety between the broad rails? He did not think any possible objection could be made to it. As far as the engineering portion of the question went, he would offer no opinion, but he could illustrate it by the evidence of three eminent engineers, who stated that they saw no possible inconvenience in carrying out the principle of the Government Report. He quite agreed with them, that it was advisable that no interference should take place, and that skill and science should be left to decide what was best for the public. In that respect he thought the Government had acted wisely. No man who read the Report could doubt that a much higher speed could be attained on the broad than on the narrow gauge. They should bear in mind, also, that a very large additional number of passengers, second as well as first class, could be carried on these trains. But it was not in speed alone, but in the combined operation of speed and power, that the broad gauge showed itself superior to any other line, as they were enabled to carry first as well as second-class passengers in their express trains. The Government had expressed its anxiety to obtain for the humbler classes increased accommodation on the railways. The companies were required to close their carriages, and to carry them at low fares; and why should they not be also afforded the opportunity, which was of so much value to the labouring classes, whose time was their only capital, of travelling at increased speed? It was impossible for any person who was not practically acquainted with the working of the railway system, to form any idea of the extent of the traffic. It was well known that the narrow-gauge lines were already speculating on the necessity of constructing a second line of rails alongside the other, at an enormous expense. Now the broad gauge was able to carry all the traffic that presented itself, and thereby insured by its power that punctuality which was one of the most important elements of the railway system. Was the House prepared to limit the advantages thus afforded by the broad gauge? He was not going to deny that the break of gauge was an inconvenience. It involved a change of carriages, and that change was necessarily an inconvenience; but he did believe that that inconvenience had been greatly exaggerated. The House would remember that the only example which they yet had of a break of gauge was upon a line which was under an adverse administration to that of the broad gauge. He believed that the inconvenience of a change of carriages was in that way unfavourable from the system of rail-

way travelling. It was impossible at the starting of a train to send off a sufficient number of carriages to meet the diverging traffic at every fresh point. The more those points were multiplied, the greater the difficulty would be, and it was evident that some inconvenience must arise. They had only to make those breaks where they could be made with the least inconvenience. It had been further objected that the broad gauge was much more expensive, and the hon. Member for Montrose told them that the difference in the construction was from 5,000*l.* to 7,000*l.* per mile. Now, that was not the fact, and the evidence that had been given before the railway tribunals had shown that the difference of expense was not more than 500*l.* per mile. He admitted that there was some inconvenience in the two systems; but the advantages more than counterbalanced the inconvenience. The rivalry between the two systems was beneficial to the public. When the Great Western line was first opened, the cost was less than upon any other line. The narrow gauge followed their example in lowering the fares, and the Great Western again reduced theirs, while additional speed and more accommodation were at the same time afforded to the public. For these reasons he regretted that the Government had limited the broad gauge to the district they had prescribed for it. In his opinion, a larger district should have been awarded to the proprietors of that line. They had, however, evinced every desire to meet the suggestions of the Government with regard to the narrow line in that district, by offering to purchase the whole of the line, or to lay down the broad gauge on it. That, however, had not been assented to. He assured the House that so far as the broad gauge was concerned, they would give every facility in their power to carrying out the Resolutions as proposed by the Government to that House.

MR. M. GIBSON hoped that no *ex post facto* law would be sanctioned to compel companies which had obtained Acts for making the broad gauge, to make them now upon the narrow. He wished to know where nothing was said in an Act about the narrow gauge, whether the company would have the power of making the narrow gauge, as well as the broad, on their line? A case had arisen which would render the construction of a double gauge necessary, or at least advantageous to the public. He meant the line from Yeovil to Taunton, and he wished to know whether these parties could legally make both gauges on their line?

SIR G. CLERK would rather be excused from giving a positive answer to the hon. Member for Manchester, as it involved a legal question, with which he was not competent to deal. In respect to the question of the right hon. Member for Coventry (Mr. Ellice), the right hon. Gentleman had better apply to the Board of Trade, as he had done on a former occasion.

MR. LABOUCHERE said, he could not help thinking that great convenience would result by the temporary withdrawal of the resolutions, or the adjournment of the debate, because he thought in their present state they would fail in carrying out the intentions of Government. He was of opinion that it would be necessary somewhere to have a discretion lodged for special exceptions. He thought that the broad gauge should not be extended as a simple line, but in conjunction with the narrow gauge. He could not but think that some of the resolutions in the way they were drawn up were objectionable.

SIR T. WILDE was also of opinion that it would be better to withdraw the resolutions for more mature consideration. He thought that these resolutions were most inconsistent in themselves. By the second resolution it was proposed—

"That, unless by the consent of the Legislature, it shall not be permitted to the directors of any railway company to alter the gauge of such railway."

Now this, he thought, was the most idle resolution they could propose, for the consent of the Legislature was already given in the Bills of the various companies, and no resolution of that House could prevent them from acting upon that consent. The fourth resolution said—

"That the South Wales line and its branches to Monmouth and Hereford, should be permitted to be formed on the broad gauge; as sanctioned by their Act."

Well, then, if they were sanctioned by their Act, what was the use of passing such a resolution as this? He was really at a loss to understand the meaning of such a resolution. He was equally at a loss to knowwhy, by the fifth resolution, they should direct the Board of Trade to do what they had previously resolved to do. The right hon. Baronet said, that these resolutions were printed with a view of bringing the whole subject before the House. So far it was of course right; but surely they should be drawn up in a manner consistent with

the dignity of the House. With respect to the first resolution, he wished to know whether the Oxford, Worcester, and Wolverhampton branch, which connected itself with the Great Western at Oxford, would come within the exception referred to in that resolution? He had a difficulty of comprehending this part of the resolution. What was the meaning of the second exception referred to in the resolution? Were not those lines alluded to already sanctioned by Parliament? He hoped that these resolutions would be withdrawn, with a view of further considering them.

Mr. J. E. DENISON thought there was much inconvenience suffered in consequence of this matter having been so long delayed. He was of opinion that the House should not separate without affirming the general principles on which the House should for the future proceed. He understood that the right hon. Gentleman proposed to withdraw the last three resolutions. In such case there would remain, of course, only the first two for present consideration. He thought the words "or the Board of Trade," ought to be inserted after the word "Legislature." With that slight alteration, he thought they might proceed to pass the first two resolutions; but if the last four only were to be proceeded with, he would affirm the principle contained in the first.

Sir R. PRICE expressed his satisfaction that the Board of Trade had laid down a proposition for preserving the broad gauge, and hoped that the principle would be extended hereafter.

Mr. B. DENISON expressed his ish that some resolution should be come to by Government for the decision of the Committee which was now sitting.

Mr. W. R. COLLETT said, that it was his intention to vote in favour of the Resolutions of the Government, as it was the wish of the railroad world that such resolutions should be passed. He hoped that Government would do something to settle the question of the gauges.

Mr. HAYTER wished the resolutions to be carried out to their full effect, and hoped that the same attention would be bestowed on the same branch lines as had been given to grand trunk lines which had been constructed in the south part of the kingdom.

Mr. F. SCOTT trusted that there would be no alteration in the resolutions without full time being given for their consideration; and he, therefore, wished to know whether it was the intention of Government to adhere to them? If Government were prepared to pass the resolutions as they now stood, the House was prepared to go along with them.

Sir G. CLERK stated that it was his intention to adhere to these resolutions.

Dr. BOWRING pointed out the inconveniences of two gauges in the South Wales district, where the broad gauge was now prevalent.

Mr. HAWES said, the resolutions were carefully prepared by the Board of Trade, and in such a way as to render them acceptable to both parties. It was, therefore, highly desirable, after the consideration they had received, they should be adopted as they stood. It was very remarkable no hon. Member had spoken in favour of the Amendment of the hon. Member for Montrose, who appeared on this question to have deserted his old friends, and to have taken a particularly narrow-gauge view of the subject. It was erroneous to suppose that no benefit had arisen from the existing difference in the gauges. Those differences had given rise to considerable competition between the lines on which the different gauges existed. The result had been, a very great improvement in the machinery, as well as a great increase in railway facilities generally. As to the suggestion which had been made for the appointment of a board to decide on the gauge question, he was not disposed to suggest to the House to relinquish the powers it at present possessed. He was of opinion that the Railway Department of the Board of Trade had proved a failure, inasmuch as their decisions, somehow or other, invariably were made public before they were even officially announced. He would contend that the evils which were supposed to arise from a break of gauge had been greatly exaggerated; for as great, perhaps greater, inconvenience existed in those parts of the country where the uniform gauge prevailed throughout. He hoped the right hon. Gentleman the President of the Board of Trade, would adhere to the resolutions as prepared; for it would be impossible, if they debated till doomsday, to frame them so as to please everybody.

Colonel ANSON objected to the broad and narrow gauge lines being laid down on any railway unless the two lines were kept quite distinct.

Viscount PALMERSTON called the attention of the right hon. Baronet the Vice President of the Board of Trade to a

report made by General Pasley, which contained a plan laid down by Captain Powell, of the Guards, to obviate the inconvenience of the break of gauge. He hoped that report would be presented to the House. The transfer of passengers from one line to another was not the great inconvenience arising from the break of gauge; the great inconvenience was, the transfer of goods. Now, he believed that Captain Powell had suggested a very ingenious method by which goods might be transferred from the trucks suitable to one line to the trucks suitable to another with very great facility. Such a plan was very important, and he thought it would be well if its details were laid before the House.

MR. HUME was happy that he had elicited so much information, and he would not give the House the trouble of going to a division; but, in order to have his opinion on the records of the House, he would not withdraw his Motion, but allow the House to deal with it as they thought proper.

Amendment negatived. First Resolution, with an Amendment to insert the words "South Wales" after the words "Great Western," agreed to.

On the Second Resolution being proposed,

MR. J. E. DENISON said, there had been a clear understanding that, the first resolution being agreed to, the others should not be pressed. Many Gentlemen had gone away under that impression; he must, therefore, oppose proceeding further with them upon that occasion.

VISCOUNT PALMERSTON objected to the wording of the second resolution. It was, and would be, inoperative; it could never carry out the object it was intended to effect, and, consequently, it would expose that House to the contempt of the public. The resolution would be wholly useless unless its provisions were carried out into an Act.

After a desultory conversation,

SIR R. PEEL suggested that the resolution should run thus:—

"It is the opinion of this House that provision ought to be made by law for preventing the directors of railway companies from altering the gauge of their railway without the consent of the Legislature."

The suggestion was assented to, and the resolution so modified was adopted.

On the Third Resolution being put, several Amendments were successively moved and withdrawn, and ultimately the question was put on the original resolution, as follows:—

"Motion made, and Question proposed, 'That it is the opinion of this House, that, in order to complete the general chain of narrow gauge communication from the north of England to the southern coasts, and to the Port of Bristol, any suitable measures should be promoted to form a narrow gauge link from Gloucester to Bristol, and also from Oxford to Basingstoke, or by any shorter route connecting the proposed Rugby and Oxford Line with the South Western Railway."

It being then objected to, the debate was adjourned.

House adjourned at a quarter to Two o'clock.

HOUSE OF COMMONS,

Wednesday, June 17, 1846.

MINUTES.] PUBLIC BILLS.—3°. and passed. Administration of Criminal Justice.

PETITIONS PRESENTED. By several hon. Members, from an immense number of Places, complaining of Refusal to grant Sites for the Building of Churches for the Free Church of Scotland.—By Sir John M'Taggart, from Inhabitants of the Parish of Portpatrick, for the introduction into all Railway Bills of such Provisions as may appear sufficient for securing the Observance of the Sabbath according to the Commandment.—From Proprietors in, and Inhabitants of, the City of Dublin and Neighbourhood, against the Places of Worship, &c. Sites (Scotland) Bill.—By Mr. Philip Howard, from Secular Clergymen and Laymen of the Town of Maryport and its Vicinity, professing the Roman Catholic Religion, in favour of the Roman Catholic Relief Bill.—By Mr. Colquhoun, from Rural Deans and Clergy of the Rural Deaneries of Newcastle-under-Lyme and Stoke-upon-Trent, in the County of Stafford, against the Union of St. Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. Hope Johnstone, and Mr. Lockhart, from a great number of places, against the Abolition of the existing Religious Tests in the Universities of Scotland.—By Mr. Deedes, Mr. George Palmer, and Mr. Robert Palmer, from several places in the Counties of Kent, Essex, and Berks, for rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By Mr. Milner Gibson, from Owners of Houses and Small Tenements in the Borough of Manchester, and by Mr. Robert Palmer, from Owners of Tenements of Small Value in the Parish of Wokingham, against the Rating of Tenements Bill.—By Sir George Grey, from Parochial and other Clergy of the Metropolis, and from Bankers, Merchants, Traders, and others connected with the Commercial Pursuits of the City of London, for promoting the Establishment of Public Baths and Washhouses.—By Captain Pechell, from Robert Blythe, heretofore Assistant Clerk to the Commissioners of the late Property Duties and Assessed Taxes for the District of Woodbridge, in the County of Suffolk, complaining of Injury inflicted on him by the Crown, through the Instrumentality of the Solicitor to the late Board of Taxes, and praying for Inquiry.—By Mr. Young, from Clerks of Petty Sessions of the County of Cavan, for Alteration of Law respecting Clerks of Petty Sessions (Ireland).—By Sir Robert Ferguson, from Members of the Board of Guardians of the Londonderry, for Extension to Ireland of the Death by Accidents Compensation Bill.—From Masters, Wardens, and Councils of the several Chartered Trades Guilds of the City of Dublin, against the Abolition of the Guilds of Dublin.—By Mr. Bailey, and Mr. Robert Price, from several places in the Counties of Monmouth and Hereford, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Sir John Yarde Buller, from Ratepayers of Buckfastleigh, in the County of Devon, and by General

Lygon, from Board of Guardians of the Martley Union, in the County of Worcester, for Alteration of the Poor Removal Bill.—By Mr. Hope Johnstone, from Parish Schoolmasters within the Presbytery of Penpont, and from Ministers and Elders of the Presbytery of Dumfries, duly met and constituted, for the Adoption of Measures for Ameliorating the Condition of the Burgh and Parochial Schoolmasters of Scotland.

NAVY CIVIL DEPARTMENT.

On the Order of the Day for the Second Reading of the Navy Civil Departments Bill,

Sir C. NAPIER called the attention of the House to the state of the administration of the Navy. He had repeatedly urged on the House the necessity of having naval men and not civilians at the Admiralty. He had also often called the attention of the House to the mode in which our ships were constructed; but he had always been met with an allegation that he was interfering with the Prerogative; and so they had gone on from bad to worse, because the Admiralty would not listen to the suggestions of any persons who were not in their own department. On foreign stations, where the interference of the Admiralty in petty details could not take effect, the ships were much better worked. The hon. and gallant Member proceeded to complain of the appointment of Surveyor of the Navy. His having built a ship the merits of which were very doubtful, was no qualification for that post. Indeed, unless a man had been bred in a dockyard, and was well acquainted with all the details, he would not be fit for such a position, however clever he might be as a scientific man. He denied that the experiments made in shipbuilding had been successful. He denied, too, that the late trials afforded any fair test of the relative merits of the old and new system of shipbuilding; for the ships were not fairly weighted, and their respective merits remained still an open question. He was very much disposed to question the accuracy of the returns which had been made on his Motion. The expense of docking at Devonport, for instance, was stated at 83*l.*; but various items which ought to have been enumerated had been omitted. He did think the Admiralty had not acted properly towards the House of Commons. The helter-skelter way in which they had gone on constructing ships was owing to the Neptunes at the Admiralty, as Lord St. Vincent styled them; and millions would have been saved to the country if a different system had been adopted. He had moved for a return relative to the steam vessels in the navy, that every Member of the House of Commons should have full information on that subject. When he first moved for those returns, he was met by the First Lord and the Secretary of the Admiralty with the statement, that, with reference to the public service, it was improper to give those returns, which would be accessible to Foreign Powers. But did not the Secretary possess the fullest information as to the state of the French navy? Of course the Secretary had a list of the steam vessels in the French service; and he verily believed that the French Government knew that day more about the state of the English steam navy than the House of Commons. An incorrect return had been made. He would not call it a false return, as a noble Lord on the other side of the House had styled it some time ago. What he wanted to know was, not the new scale of arrangement, but the position of the steam navy at the present moment, in the event of a war. He wanted to know the strength of the guns, and other particulars; but these had all been suppressed in the returns. It was true that the Secretary of the Admiralty had made a supplementary return; but he (Sir C. Napier) felt that he must make out a statement for himself. Beginning with the steam frigates, he begged to refer, in the first place, to the *Penelope*, which he had last year designated "the porpoise;" she seemed as if she was always under water; and whoever recommended that she should be cut down ought to have previously entered into calculations for the purpose of ascertaining whether she could carry the weights which she had to carry. Her main-deck guns were only 4 feet 11½ inches from the water when she had 500 tons of coals on board; and she could carry only 9½ days' supply of coals. The *Terrible* had no stern ports at all till he had himself pointed out the defect. When the stern ports were supplied, they were made in a part of the vessel where stern ports were never intended to be, and, in consequence, as regarded the guns, there was not sufficient power of elevation. Instead of its being practicable to elevate the guns eight, or nine, or ten degrees, they could be elevated only 1½ degree. The *Retribution* could point one gun forward and one aft; she could also take two of her broadside guns and point them forward; so could the *Terrible*. Why did not the return state so? But he did not want a return of the broadside guns that might be

pointed forward or aft, but of those which might be fired right ahead and right aft. There was a still more serious matter. The *Terrible* was a vessel of 1,840 tons, but carried only 550 tons of coal; that was to say, eight days' coal in a steam frigate almost as big as a line of battle ship. The *Retribution*, of 1,641 tons, carried only 540 tons of coal, and the *Vulture* carried only 420 tons of coal. Here were those vessels built for frigates carrying only eight days' coal. He asked why when these vessels carried so few guns, they did not call them by their proper names—steam corvettes? If there was a war, there would be French steam frigates mounting fourteen guns; and what was likely to be the result if they fell in with vessels which were nothing more than steam corvettes? He maintained that there was not one of them at the present moment that was deserving of the name of a man-of-war. No attention had been paid by the Admiralty, the Surveyor of the Navy, or the Inspector of Steam Machinery, to placing the engines and boilers in a proper manner. All the steam-boxes were five or six feet above the water; every one must see that if, in action, a single twelve or twenty-four pounder struck the steam-box, every man below must be destroyed—must be boiled to death or fried to a cinder. Let the Admiralty try it; he would give the Board any one of their steamers; let them go down into the engine room under water, and let him (Sir C. Napier) take a gunboat and fire a twelve-pound carronade shot through the steam-box, the First Lord of the Treasury might make out new patents for fresh Lords of the Admiralty as soon as he liked, for none of them would ever come on deck again. In case of a war, which might take place to-morrow, the whole steam fleet would be sent to sea; the country would expect great things from the commander; with a force of 10,000 or 15,000 men it would expect the war to be put an end to in three months; but the very first shot that went through one of these steam-boxes would destroy every man below; it would be impossible to prevent it. It had happened once in the river, and every one was scalded to death. There was no earthly means of escape. If such a thing happened, they could not expect to get a single engineer to serve on board these vessels. It was the bounden duty of the Admiralty to ascertain whether these vessels were fit for war or not; if they were not, they should correct their error at once. It could be done; Mr. Seaward, in the steamer built by him (Sir Charles Napier), had succeeded in placing the steam-box under water; and it ought to have been done fifteen years ago. Then with respect to cutting down ships, which was an acknowledgment they did not know how to build them, they had since 1800 cut down eight three-deckers into 80-gun ships, because they were so excessively crank; thirteen two-deckers had been cut down to frigates. When the first one or two were cut down, he had not much to say about it; but after finding from experience that they could not stow their water, provisions, and men, was it wise or proper to go on, and cut down thirteen? After it was proved to demonstration that our 46 and 42-gun frigates were not fit to fight the American frigates, they went on, and after 1815 built forty-five of that description. And now the Admiralty were cutting them all down into corvettes—why was that? Surely 42-gun frigates were better than 21-gun corvettes. He had moved for a return of the expense of cutting them down, and here was another proof of the way in which the House was treated in its returns; the Admiralty said it "had no means of ascertaining the expense of cutting down" these vessels. Now, he knew they had the power of ascertaining the expense of cutting down every ship. The bulwarks of these corvettes were so low, that if any one who had been in action would tell him that the men could stand to their quarters so exposed, he would say he knew nothing about it. When he was a young man he commanded a frigate that was very high out of the water, and he had the hammocks taken down from the nettings; afterwards, when in action on the coast of Calabria, the musket balls flew about them pretty thick, and he assured them the hammocks were all stowed as usual the day afterwards. A large number of ships had had their sterns altered, and it was said there was no way of ascertaining the expense of it; yet the Admiralty had made a return of such an expense two years before, and were perfectly able to do it at the present moment. In the same way they said they could not ascertain the expense of altering the magazines; yet they had given a return of that expense last year. They had an immense list of new ships, besides those on the stocks: what was the use of going on year after year building such enormous ships? At the present moment it was

very doubtful whether a few years hence it would not be necessary to give over building large ships altogether: he did not mean to say the Admiralty should not keep up a certain number; but if they had fifty sail of the line, and the slips full besides, it was more than they wanted, and more than they could possibly man. Every year the estimates for building ships increased; for last year the estimate was 1,300,000*l.*, this year it was 1,600,000*l.* He could not consent to such an estimate again unless their system was changed. He believed the errors the Admiralty had fallen into arose entirely from the construction of the Board. The right hon. Baronet (Sir J. Graham) added one Lord to it, and divided its business into five or six departments. The First Lord took all the patronage: that he believed was his department; another had the building of all the ships under his control; another the stores; another the victualling and medical department. Now, so immense a labour as attending to the building of all the ships of the navy was totally impossible for any man to perform; the best excuse for the gallant Officer who had charge of that department was to say he could not attend to all its duties. The consequence was, the business was left to the Surveyor of the Navy, who had gone on upon his own system at an enormous expense, without a bit of improvement. He had had the construction of a vessel himself, and it had occupied all his time and attention; he had consulted builders, captains, officers experienced in steam ships, and engineers. Had the gallant Officer ever brought such men together to consult upon any one point? If there was so much trouble in building one ship, what must be the task of the officer who had charge of all the navy? This was the cause of the inferiority of our steam navy to private and merchant steamers. There was not a builder in Glasgow, or the river, who would not produce better steamers than were to be found in the navy. The Cunard steamers sailed to Halifax and the West Indies in all seasons, and carried coals enough to cross the Atlantic with cargo and an immense number of passengers; the Scotch and Irish boats sailed winter and summer; but the moment the Admiralty sent a squadron to sea, the steamers had to put back into port perfect wrecks! This arose from nothing but ignorance, downright ignorance, and giving the building of the vessels entirely to one man. Every one of these ships, with one or two exceptions, had been built by the Surveyor to the Navy, and it had, therefore, been impossible to avoid making some of those errors which he (Sir C. Napier) had pointed out. He should show an instance of gross ignorance. A frigate called the *Fox* had been given to be built to a Mr. White; that gentleman did not know much about gunnery, and he said, "I'll make her sail, but I can't answer for what she'll do with her guns;" and so it turned out that when a trial was made, the *Fox* could not point her guns. But no attention was paid to that circumstance; and afterwards, when the *Amphion* was building at Woolwich, it was directed that she should be constructed with the same bows as those of the *Fox;* her original bow was removed, and the new one put up at an expense of 6,650*l.*, and the same defect then appeared in the *Amphion* as had before appeared in the *Fox.* Then, to make bad worse, they made a steamer of her; and to give space for the engines she was deprived of the whole of her main deck, and various other alterations, which produced great inconvenience, were effected. All that was sought for by this change would have been gained had she been left as at first, in cases of necessity to be taken in tow by a steamer. The gun-ships which they called block-ships had been constructed also on a very bad principle; they would not, after all, sail more than five knots an hour; and they would have been just as efficient if left to be towed by steamers. He thought he had now pointed out many of the errors committed by the Board of Admiralty: he was not alluding to the gallant Officer (Sir G. Cockburn) in particular; the system was a bad one, and had been the same from time immemorial. He had been anxious to see a change in that Board; and when it had been changed, it had been his wish to see it divided, as in the Ordnance, into different departments. That was the object of his present Bill. It was of little use for him to speak of the propriety of a naval Lord being made First Lord—it was all nonsense to expect anything of the kind; for there were always too many civilians who must have precedence. It was his object that one of the Lords should have the entire management of the dockyards; that another should be at the head of the medical and victualling department. Such had been his opinion; but the right hon. Gentleman, it was supposed, knew a great deal better, and the Admiralty re-

mained as it was. The placing the Lords at the head of the different departments was a mere conventional matter; they were not in reality responsible, and could always shift the responsibility to the surveyor and to others. The several Lords should have a designation, in order to let the public know who was and who was not to blame when an error was committed; but at this time it would be, he knew, disadvantageous to the service to be exposed to different administrations, just as Ministries changed, and a new set of men, totally ignorant of the duties to de performed, came in. It, on reflection, appeared to him that it would be a much better plan for the Admiralty to have the power of appointing a comptroller of the dockyards, and another comptroller of the medical and victualling departments, such officers not to have seats at the Board. If they were to have seats at the Board, things would remain as before; because it was perfectly impossible that a man would find fault with his colleague. Had the Lords of the Admiralty ever found fault with the gallant Officer for bad shipbuilding? Not one of them. But if a man, responsible as the head of a department, had permitted a shipbuilder to launch such a ship as the *Terrible*, fault would have been found with him, and he would have been put out of his situation as being incapable of executing the duties intrusted to him. It would, in fact, be best if the Admiralty were ruled by one man; but as there was no prospect of that, it was best that it should be ruled by three men—the First Lord and two others. With three they were always sure of a majority; but when they had six to consult, it was difficult to come to any decision; and the consequence was never-ending procrastination and delay, for which no one was to blame, for they could not say who was responsible. What could be the objection of the Admiralty to send Captain Rous out of the Admiralty to Somerset-house, and to make him a superintendent of the medical and victualling department, to correspond directly with the Lords, and to take orders from the Admiralty? They would then have an effectual management, and would no longer have two Lords going on board a ship once a year, looking at her and doing nothing more; for it was not to be expected that they would find fault with the captain. It might be said that this was proposing to give too much power to a superintendent; but he would hold his situation at the will of the Admiralty; and if Captain Rous attended to his particular department alone, they could not doubt that it would be carried on ten thousand times better than at present. It would be giving to him much less duty than that performed by the gallant Officer now. The junior Lords of the Admiralty were worse off than clerks. Did a First Lord ever allow them to object to anything? [Sir G. COCKBURN: Yes.] Then all he (Sir C. Napier) had to say was that it was different from what it used to be. Why, would the gallant Officer let a captain talk to him? Certainly not. The comptroller of the dockyard should not confine the shipbuilding to the builders in the dockyard. If he could find cleverer men outside he should go to them; and the plans ought to be submitted to and examined by the surveyor. Had there been such an officer as he had spoken of, instead of having, as they now had, as bad frigates as it was possible to construct, they would have had a magnificent fleet. The last part of the Bill before them would, he thought, prove extremely advantageous. The Admiralty had themselves admitted they were wrong when they appointed a Commission; but as this Commission had not been permanent, as recommended, little benefit could have been derived from its labours. The hon. and gallant Member concluded by moving the second reading of the Bill.

VISCOUNT INGESTRE said, he was desirous of seconding the Motion of his hon. and gallant Friend; for he considered that the measure now brought forward was one of very great importance. Since he enjoyed a seat in that House, he had to the best of his ability supported the interests of the navy, believing them to be inseparably connected with the true interests of the country. He took that course upon public grounds: he had always pursued it without reference to any party consideration whatever; and in giving his support to the present Bill, he begged it to be understood that he meant to cast no reflection whatever upon the Board of Admiralty. He entertained a great respect for those who composed that Board; and he doubted not that they were all truly anxious to do their duty. With reference to the Navy Board—which the Board of Admiralty found to be an *imperium in imperio*—its abolition was certainly an improvement for this amongst other reasons—that the Admiralty experienced no small difficulty in controlling the operations of the Navy Board; but, in getting rid of that

Board, they had perhaps gone a little too far. He certainly was not for making it a *sine qua non* that the First Lord of the Admiralty should be a naval officer; on the contrary, he thought it would in many cases be better to have him a civilian, though exceptions to that rule might occasionally arise; unfortunately, however, the responsibility was so divided, that the Board was absolutely inefficient. He did not wish, upon the present occasion, to detain the House with any lengthened discourse; but he felt it impossible to let that opportunity pass of calling attention to the garbled, twisted, and imperfect manner in which returns respecting the navy were made to that House. He had made several attempts to ascertain various expenses; but the returns were incomplete, and were not signed by any person. He wished to compare the war and the peace expenses of the navy; but unfortunately not one of the returns laid before the House enabled him to accomplish that object. Again, he thought the House had a right to complain of the unscientific plans upon which the Admiralty were accustomed to proceed. He thought that there should be a Board of Construction, to which all plans ought to be referred; and thus the vessels of the British navy would become models of skill, and not be built, as at present, haphazard. As to the ships built according to the plans of the present Surveyor of the Navy, it was to be expected that they should roll. Before he sat down, he wished to inquire whether the House might not hope for a more detailed report from Admiral Sir William Parker respecting the experimental squadron of last year? The House merely received formal letters accompanying the report; but substantial and practical information was not supplied either by the report or the letters. He wished to add one word respecting the size of steam vessels. In his opinion many which had recently been built were too large. The Surveyor of the Navy ought not to be allowed to build ships, but to survey those which other persons built. There ought to be a board with a surveyor at its head. He would merely add, that he should support this Bill, as it would tend to obviate the present difficulties, put a stop to the present extraordinary expenditure, and place the navy upon a footing commensurate with the importance of that branch of the service.

Mr. CORRY said, that when the gallant Officer favoured him with the intimation of his intention to bring in this Bill, he told the gallant Officer that, although he should not oppose its introduction, he could give him no expectation that it would be in his power to support the Bill in any of its future stages; and, now that he had heard the gallant Officer's explanation of the Bill, he was not more disposed to give it his support than from what he previously knew of the gallant Officer's sentiments on this subject. In fact, a more objectionable measure it was very difficult to conceive. The gallant Officer proposed to reduce the number of the Lords of the Admiralty from six to three, and to appoint in their place three controllers, viz., a controller of the dockyards, another of the medical department, and a third of the accounts. So far the measure was tantamount in principle to a reconstruction of the Navy Board, with this very serious objection added—that whilst the powers of the Navy Board were vested in five or six individuals, the powers conferred by this Bill were to be vested in only one, as the head of his particular department. In two of those departments the only qualification to be required was, that the one controller should have served five years as controller in some dockyard, and the other the like period in a victualling-yard. But at the present moment there were only five persons who, according to that provision, would be qualified for the former office, and but three for the latter. Then, again, the individuals elected for those offices were to be nominated, not by the Crown, but by the Admiralty, so that they would not be responsible to Parliament; and any one in the slightest degree conversant with the public business of this country must know that those officers would soon be subordinate only in name, and that the whole executive power would be vested in them. It was monstrous that such powers as were proposed by this Bill should be placed in the hands of any single individual, and he not nominated by the Crown. These were his objections to the Bill, as far as related to the controllers of dockyards and the victualling department; but the provisions of the Bill as to the controller of accounts were more extraordinary, for that officer would have to bring forward the estimates for the naval service, and yet the Bill did not oblige him to have a seat in Parliament. But the alterations proposed to be made by this Bill would greatly increase the labour of the establishment, and consequently its expense. The objec-

tions to the Bill were so great that the House would excuse him if he did not go through all the details of the gallant Officer's speech ; but before he sat down he must refer to one or two of his statements. The gallant Officer had complained of the manner in which the shipbuilding connected with the Admiralty was conducted. Upon that point he could inform the gallant Officer that Her Majesty's Government had recently appointed a Commission composed of the most eminent practical men, to inquire into the subject; but as to the gallant Officer's charge, that the steamers were the worst that could be built, he utterly denied it. The greatest possible pains had been taken taken to improve the building of steamers ; and with respect to those to which the screw-propeller was applied, the experiments which had been made with the *Rattler* gave him the utmost confidence in the result. Then the gallant Officer said that all the steamers in the navy were built by one person. He found, however, from the returns that the total number of steamers built in the last five years was fifty-four, and that of that number not less than thirty-four were constructed upon lines other than those of the Surveyor of the Navy, so that twenty only had been constructed by that officer. With reference to that vessel which the gallant Officer had spoken of as having been altered, he could inform the gallant Officer, that the Admiralty being anxious to apply the screw to common sailing vessels, this vessel had only been altered in length, in order to give effect to the experiments that were made with a view to that object. In answer to the question asked by the noble Lord who had last spoken with respect to any report from Admiral Parker, he had only to say that that officer had not, as far as he was aware, sent any further report as to the sailing qualities of the experimental squadron under his command than that which appeared in the returns before the House. Having stated his objections to this Bill, he would not detain the House further upon the subject than to call upon them not to allow the naval service to be tampered with by such a Bill as this, and to support him in the Motion he then made, that this Bill be read a second time that day six months.

CAPTAIN PECHELL said, that the right hon. Gentleman, in moving his Amendment, must have forgotten that the measure had been sanctioned by the very high authority of Captain Rous, while filling the office of Lord of the Admiralty, and it also had the concurrence of the noble Lord the Member for Staffordshire. As for his part, as he was most anxious to improve the service in every respect, he felt it his duty, and it was also the duty of the House, to pass a Bill which would in his opinion correct those evils which had been so fully proved to exist in the naval department. The gallant Commodore had shown a great many reasons why an improvement should take place, particularly in the construction of ships ; but that was now so neglected as to prove how totally reckless the Government was in that respect. He was, however, willing to confess, that while on many occasions the Admiralty did act in the spirit of fairness, yet he had also to state that they had too often allowed that competition to take place which tended to the injury of the surveyors of the navy—and knowing that to be so, he could not join with the gallant Commodore in his condemnation of the surveyors of the navy. That led him to observe that he would object to any committee of shipbuilders to the total exclusion of the services of the surveyors of the navy. While the gallant Commodore had given substantial reasons for improvement, and while his Bill would effect much good, yet he feared it would not accomplish all the objects the gallant Officer had in view. Without doubt a great change was required in the Board of Admiralty, but how to effect it was the question. It was most desirable that the First Lord of the Admiralty should have it in his power, without risk of loss of office, to act in accordance with what he conceived to be the interest of the navy. As, in his opinion, the Surveyor of the Navy was deserving of the highest respect, the Admiralty, in endeavouring to get rid of him, were acting a very unwise and unjust part. The gallant Admiral (Sir E. Cockburn) would hereafter be called upon to produce a certain document, by which it had been agreed by the members of the Admiralty to make the Surveyor of the Navy a perfect cipher. He was very glad that the Bill proposed to maintain the services of the Secretary of the Admiralty, who was admitted by all to be a very efficient officer. This Bill, although, as he said before, it would not effect all that was desirable, yet he was at all times ready to vote for a Motion that would have the effect of improving the present management of the navy, and he should therefore vote for the second reading.

CAPTAIN BERKELEY begged to say, for his gallant Friend Captain Rous, that that gallant officer knew nothing of the Bill, and totally repudiated it.

SIR G. COCKBURN, in reference to the complaint that the present Surveyor of the Navy was allowed to have so much power without interference on the part of the Admiralty, said that one of the earliest things done by the present Board of Admiralty was to have a committee of shipbuilders to meet at Woolwich, to take into consideration the present mode of building ships, and to give their opinion thereon. They had made a report, and the Surveyor had made his remarks on their report. The next thing done by the present Board of Admiralty was, to pick out three of the most distinguished persons in the School of Naval Architecture, who were to state in what respect the present form of shipbuilding was erroneous, and what improvements could be made. In reference to the observation, that they had made a committee of which the Surveyor of the Navy was not a member, he had to say that they had done everything to obtain every scientific information on the subject of vessels. With reference to the guard-ships, these ships had been prepared for the purpose of protecting the harbours at home.

CAPTAIN PLUMRIDGE said, that there was no finer ships than the *Vernon*, the *Vanguard*, and the *Queen*. He defended the conduct of the Surveyor of the Navy, who, he contended, had not had fair play, either in or out of the House.

MR. CHARLES WOOD opposed the Bill, because it proposed to undo a great deal of what had been done by the right hon. Baronet (Sir J. Graham) in abolishing the Navy Board.

SIR CHARLES NAPIER replied: With regard to what had been said about Captain Rous, he begged to explain that he had spoken to the gallant Captain, when he was a Member of the House, upon the subject. The Speaker had asked him whose name was to appear on the back of the Bill, and he had at once spoken to Captain Rous, who, as it was a mere matter of form, gave permission to have his name placed upon it. Since that period, however, his gallant Friend had ceased to be a Member of the House; and as Captain Berkeley, now speaking for him, said he knew nothing about the Bill, and totally repudiated it, he (Sir Charles Napier) could only say that he was not surprised at that, inasmuch as the gallant Captain was now a member of the Board of Admiralty. As to the explanations given by the right hon. Gentleman opposite, he was not all satisfied with them. He disapproved of the new system of teaching British seamen to play the game of long bowls with the enemy. What had made the navy hitherto invincible was the habit of reserving their fire and laying themselves close alongside an enemy's ship. But if once they contracted the habit of playing at bowls they were ruined. Now as to the adoption of the screw propeller; the right hon. Gentleman opposite had stated that eleven ships had been built and fitted with the screw. [MR. CORRY: Fifteen.] Fifteen! So much the worse. He considered that it would never be found to answer. He had had paddles applied to his ship, and they answered very well. He thought that all the sailing vessels should be supplied with engines and paddles, in order to enable them to move when becalmed, or in confined positions; but he disapproved totally of the screw. One word before he concluded, in reply to the objection made by his hon. Friend (Mr. C. Wood) to the Bill, that it would re-establish the Navy Board; he begged to say that it would do no such thing. Nothing could be further from his wish than to re-establish the Navy Board, and there was no provision in the Bill for such a purpose.

The House divided on the Question, that the word "now" stand part of the Question. The numbers were:—Ayes 11; Noes 107: Majority 96.

List of the AYES.

Bridgeman, H.	Plumridge, Capt.
Crawford, W. S.	Power, J.
James, W.	Rashleigh, W.
M'Carthy, A.	Wawn, J. T.
Martin, J.	TELLERS.
Morris, D.	Napier, Sir C.
Pechell, Capt.	Ingestre, Visct.

List of the NOES.

Alexander, N.	Buck, L. W.
Allix, J. P.	Burroughes, H. N.
Antrobus, E.	Cardwell, E.
Arkwright, G.	Carew, W. H. P.
Austen, Col.	Carnegie, hon. Capt.
Bailey, J.	Clerk, rt. hon. Sir G.
Baillie, Col.	Clive, Visct.
Baine, W.	Cockburn, rt. hn. Sir G.
Barkly, H.	Compton, H. C.
Baring, rt. hon. W. B.	Corry, rt. hon. H.
Blackburne, J. I.	Damer, hon. Col.
Bowles, Adm.	Deedes, W.
Brotherton, J.	Divett, E.
Bruce, Lord E.	Douglas, Sir H.
Bruges, W. H. L.	Douglas, Sir C. E.

Duncombe, hon. A.	Maule, rt. hon. F.
Dundas, Adm.	Meynell, Capt.
Du Pre, C. G.	Miles, P. W. S.
East, J. B.	Miles, W.
Escott, B.	Mostyn, hon. E. M. L.
Fellowes, E.	Neeld, J.
Ferguson, Sir R. A.	Neville, R.
Finch, G.	Nicholl, rt. hon. J.
Fitzroy, hon. H.	Packe, C. W.
Forbes, W.	Palmer, R.
Forster, M.	Palmer, G.
Fuller, A. E.	Peel, J.
Gibson, T. M.	Pennant, hon. Col.
Gill, T.	Reid, Col.
Godson, R.	Round, C. G.
Gordon, hon. Capt.	Round, J.
Goulburn, rt. hon. H.	Scrope, G. P.
Graham, rt. hon. Sir J.	Seymer, H. K.
Greene, T.	Seymour, Sir H. B.
Grimsditch, T.	Sheppard, T.
Grogan, E.	Smith, A.
Hale, R. B.	Smythe, hon. G.
Hamilton, G. A.	Somerset, Lord G.
Hamilton, Lord C.	Spooner, R.
Henley, J. W.	Staunton, Sir G. T.
Herbert, rt. hon. S.	Stuart, H.
Hodgson, R.	Sutton, hon. H.
Holmes, hon. W. A'C.	Trench, Sir F. W.
Hope, Sir J.	Trevor, hon. G. R.
Hume, J.	Trollope, Sir J.
Jermyn, Earl	Trotter, J.
Jocelyn, Visct.	Turner, E.
Jones, Capt.	Vesey, hon. T.
Legh, G. C.	Wellesley, Lord C.
Lincoln, Earl of	Wodehouse, E.
Lockhart, W.	Wood, C.
Lowther, hon. Col.	Wortley, hon. J. S.
Mackenzie, W. F.	TELLERS.
Mackinnon, W. A.	Baring, H. B.
M'Neill, D.	Cripps, W.

Main Question as amended agreed to. Bill put off for six months.

RATING OF TENEMENTS BILL.

MR. ALLIX moved the Second Reading of the Rating of Tenements Bill.

MR. R. PALMER complained that the Bill should be forward at such a late hour, and expressed his opinion that it was a measure which ought not to be adopted without careful and mature consideration.

MR. P. SCROPE said, that this Bill would discourage the building of houses for the poorer classes. The effect of rendering the owners of small tenements liable for rates would be to discourage the investment of capital in the erection of houses for the labouring population. There was no doubt that the physical comforts and moral habits of the poorer classes depended, to a great extent, on the character of their habitations; and it appeared, from returns on this subject, that in this metropolis, and in large towns, as well as in the country, great numbers of the poor were crowded into small houses, and in many cases entire families occupied only one room. He thought, then, that the Legislature ought to afford every encouragement to the providing of comfortable habitations for the poorer classes. Under the existing law the poorer classes were exempted from rates; for, by the 54th George III., magistrates were enabled, on the recommendation of overseers, to exempt poor persons from the poor rate. This enactment, however, was practically attended with great inconvenience; for those who claimed exemption had to make an appeal to the overseer, and then to appear before the magistrates, to establish their case—a proceeding which involved considerable loss of time. He considered that the best course would be to introduce a measure exempting the occupiers of tenements under a rental of 6*l*. a year from the payment of rates. The object of the promoters of this Bill was evidently to discourage the building of small houses, for the petitions in its favour emanated from ratepayers, who complained that under the present law persons were induced to come into their parishes and build small tenements. The principle upon which the exemption under the 54th George III. was adopted was this—that there was a large class of persons who, though not actually receiving parochial relief, were on the verge of pauperism, and who, therefore, could not properly be called upon to pay poor rates. The moment the Bill now before the House came into operation this exemption, which applied to hundreds of thousands of cases, would at once cease. But did they think the landlords would not take care, if they were chargeable with the rate, to put it upon the occupiers in the shape of an increased rent? There could be no doubt they would do so. The Poor Removal Bill might make it the interest of many landlords to pull down cottages in order to prevent a right to relief, irremovable, being acquired by residence, and here was another Bill with the same tendency. Many small cottages paid next to no rent, and were scarcely worth repairing: the owner would not find it worth his while to pay rates for them. The Bill would amount to a penalty on building them, and must lessen the comforts of the poor. It was easy for ratepayers to complain of such property not being rated now; but this was not the only property exempt; there was funded property. Stock in trade, which was legally liable to be rated, was exempted by an annual Bill. If exemption from poor

rate were made dependent on the cottages being properly drained and ventilated, that would tend to meet the objection made to sanatory recommendations, that the poor man's house could not pay more than at present. Under all circumstances, he (Mr. P. Scrope) would move that the Bill be read a second time that day six months.

Mr. HAWES suggested, that as it was near six o'clock, the debate had better be adjourned, and the rest of the Orders of the Day might then be disposed of.

Debate adjourned.

House adjourned at six o'clock.

HOUSE OF LORDS,

Thursday, June 18, 1846.

Minutes.] Public Bills.—1ª· Correction of Clerks. *Received the Royal Assent.* Viscount Hardinge's Annuity (No. 2); Railway, &c. Deposits; Print Works; Polling Places (Ireland).

Petitions Presented. From Inhabitants of Gloucester, and Railway Passengers on the Bristol and Birmingham Line (49 Petitions), against the Break of Gauge, and praying that the Recommendation of the Commissioners for Establishing a National Uniformity of Gauge, be adopted.—By Lord Monteagle, from the Parochial Authorities of Saint John, Southwark, and Saint Luke, Middlesex, praying that a Law may be passed to restrain unnecessary Sunday Trading.—By the Earl of Haddington, from the Synod of Merse and Teviotdale, against the proposed Measure for Abolishing Tests in Scotch Universities.

HOUSE OF COMMONS,

Thursday, June 18, 1846.

Minutes.] Public Bills. 2°· Drainage of Lands.

Petitions Presented. By Lord Rendlesham, from Henry Gooding and others, against the Roman Catholic Relief Bill.—By Sir Charles Knightley, from Guardians of the Potterspury Union, in the Counties of Northampton and Bucks, for Rating Owners in lieu of Occupiers of Small Tenements.—By Sir Thomas Wilde, from Mayor, Aldermen, and Citizens, of the City of Worcester, for the Adoption of Measures for promoting Health of Towns.—By Mr. Hume, from Inhabitants of Gloucester, praying the House to adopt the recommendation of Her Majesty's Commissioners for establishing a National Uniformity of Gauge for Railways.

RAILWAY GAUGE—ADJOURNED DEBATE.

The Order of the Day for the Adjourned Debate upon the Railway Gauge Resolutions having been read,

Mr. J. E. DENISON resumed the debate by saying that he had no pecuniary interests in any railway, neither could he have any peculiar interests in favour of the one gauge beyond the other. He objected to that resolution which recommended that the narrow gauge should run inside the broad gauge from Rugby to Oxford. The more he looked at these resolutions, the more he thought that the Board of Trade had not sat as a fair arbiter between the two great parties, but had rather endeavoured to effect a compromise by partially accommodating both. He thought that these resolutions would prove useless and inoperative, and by pledging the House of Commons to a particular course would prove also most inconvenient. The House of Commons should not be called upon to pledge itself to a course that was inconsistent with the evidence that was taken upon the subject. He should at the proper time move, that the word "not" be left out, and should recommend the House not to give an opinion in favour of the recommendation contained in the 5th Resolution.

The question was put, and the third Resolution was by leave withdrawn.

The following Resolution was agreed to, in place of the one withdrawn :—

"That in order to complete the general chain of narrow gauge communication from the north of England to the southern coast, and to the port of Bristol, any suitable measures should be promoted to form a narrow gauge link from Gloucester to Bristol, and also from Oxford to Basingstoke, or by any shorter route connecting the proposed Rugby and Oxford line with the South Western Railway, without prejudice however to the formation of any other line, also connecting, upon an uniform gauge and by a direct route, the north of England with the southern coast."

Sir G. CLERK proceeded to observe, that an Act of Parliament was obtained last year, authorizing the formation of a railway to South Wales, running for a considerable distance along the coast. It was, no doubt, the object of the promoters that this should be a broad gauge line; but there were no terms in the Act expressly requiring such to be the case. After the best consideration which could be given to the subject, looking at this line as the great line of communication with the south of Ireland, and a continuous line from London to the establishments at Pembroke Dockyard, it was considered expedient that it should be considered on the broad gauge.

Sir G. GREY had no objection as the gauge on which the South Wales line ought to be formed; but he renewed the objection which he had made to the former of these resolutions—viz., that it was to amend an Act of Parliament by a resolution of the House, and that the House of Lords might pass a resolution directly contrary to that of the Commons. If they meant to found an Act upon the resolution, then his opposition was withdrawn; but if not, the proceeding must be considered

objectionable. It would be in the power of the other House, to-morrow, to pass a resolution that it was expedient to construct the railway on the narrow gauge. He would propose as an Amendment that, after the word "is," there be inserted the word "not."

MR. O. GORE said, that the effect of this railway being constructed on the broad gauge would be to cause a break of gauge with the narrow gauge lines at Hereford; and as this should be avoided, the narrow gauge should be preferred.

MR. HAWES thought, that if the objection of the right hon. Gentleman (Sir G. Grey) was merely technical, it could easily be got rid of by adopting the minute of the Board of Trade in the resolution; but it was not solely a technical objection. The previous resolutions were restrictive; the object of this resolution was to encourage the broad gauge in this particular locality; from this it might be supposed the House was not prepared to extinguish the broad gauge system, and hence the objection made by the right hon. Gentleman. A compromise had, in fact, been made between the contending parties. [SIR G. CLERK: There was no compromise.] It was through an arrangement, after hearing both sides; and in this arrangement, and in the resolution, the public interests had been wisely consulted.

MR. HUME thought it was a prudent course to leave the parties in Wales to construct this line on that principle to which they were most favourable.

VISCOUNT SANDON: It was important to know whether, in passing this resolution, the House expressed an opinion that the broad gauge was best, or that merely it was not wished to impose upon the company the narrow, after an Act had been obtained for the broad gauge.

SIR T. WILDE said, that it was very generally understood that it had been the original intention of the parties who projected the South Wales line and its branches to Monmouth and Hereford to adopt the broad gauge principle; and, inasmuch as it was well known that the Gauge Commissioners had reported against that principle and in favour of the narrow gauge, the object of the present resolution, as he understood it, was to do away with that uncertainty, alarm, and wild speculation to which the project was liable as long as it was not distinctly understood how far the Legislature might think fit to interfere with the intentions of the directors, or whether they would think proper to interfere at all. The present resolution would prevent alarm, and give the company to understand that they were still at liberty to carry out their project as they might judge proper, notwithstanding that their adoption of the broad gauge principle would not be in accordance with the recommendations of the Board of Trade. It was to be observed that the Government did not seek to control the movements of the company, or to make it compulsory on them to adopt a certain course. All they did was to give the company to understand that they were at liberty to adopt the broad gauge if they chose.

SIR G. GREY said, that he should withdraw his Amendment and divide against the resolution altogether. He should oppose the resolution on the ground that it proposed to amend an Act of Parliament by a resolution of the House.

Amendment withdrawn.

SIR T. D. ACLAND said, that he should support the resolution, on the ground that it was part of a series of resolutions which were proposed by the Board of Trade.

The House divided:—Ayes 67; Noes 14: Majority 53.

Resolution agreed to.

The Fifth Resolution put:—

"That it is the opinion of this House, That it is not expedient to alter the provisions of the Acts for forming a line of railway from Rugby to Oxford, and for forming a line of railway from Oxford to Worcester and Wolverhampton, with respect to the gauge on which they may be formed, nor with respect to the powers therein conferred on the Board of Trade."

MR. LABOUCHERE rose to call their attention to the advantage of a twofold gauge on the same line of railway. He observed, that they had had no experience of that system. But if they looked at the resolutions which had been submitted to the House by Her Majesty's Government, they would see that, in certain cases, it was proposed to introduce a twofold gauge, at the same time that, if hon. Members looked to some documentary evidence that had been laid before them, they would find that there existed some doubts as to the expediency or the safety of introducing such a change. For his part, he entertained strong doubts on the matter; but, upon the whole, he thought it best to assent to the proposition of the Government. He thought it better to take the resolution which had been proposed upon the responsibility of the Government. The opin-

ion of Ministers evidently was, that there would be no want of safety in the proposed change; and, under present circumstances, the House, in adopting the resolution, left all the responsibility upon the Government. The House were enabled to look into the matter for themselves; and it must therefore place a certain degree of confidence in the responsible advisers of the Crown; and he trusted that the House would view this question without reference to the interests of any party whatever, but merely consult the general advantage of the country at large. If the broad gauge were kept at all, he thought it might be made useful by extending traffic from the Great Western Railway into the manufacturing districts. There were those who thought, and upon very plausible grounds, that the plans of the broad and narrow gauges might be united; and certainly the advantages of a broad gauge in manufacturing districts had never yet been fairly tried; for on the Great Western the traffic was principally that of passengers, not of goods. If the House were of opinion that the adoption of the resolutions now before them did not preclude them from expressing a further opinion on the subject of uniting the gauges, then he should not trouble them by pressing upon their consideration any Motion whatever upon the present occasion; otherwise he should be inclined to propose a resolution to follow those now before them, to this effect, that notwithstanding what might be contained in the foregoing resolutions, it should be competent to the Board of Trade to require that in future clauses should be introduced into all Railway Bills, sanctioning the twofold gauge upon the same line, but the Board of Trade making a special report to the Committee on the Bill in every case.

Mr. HUDSON was sure that railway companies, generally speaking, would not stand in the way of carrying out any improvements that might be suggested in the construction and working of lines. But for his own part, he must say he had raised strong objections to the introduction of two gauges on one line. It was true that some eminent engineers had given opinions that there would be no difficulty in adopting the system; but from his own experience of railway matters he thought there would be imminent danger incurred by it, and that it would be the cause of great confusion, without at all serving the interests of the public. In fact he believed it w uld be impossible to carry it out on any long line. He felt bound to enter his protest against any attempt being made to try the broad and the narrow gauge upon one line of railway, because he considered that it would be attended with much danger.

Sir G. CLERK thought that it would be premature for the House to come to a final decision as to the two gauges. All that was proposed in the present case was merely to ensure the fulfilment of the promise of the clauses in the two Bills of last year, enabling the Board of Trade to lay down rails in the two gauges, so that they might try the experiment of double lines. If this should succeed, there was nothing to prevent its being more generally adopted.

Sir G. GREY inquired if it were the intention of the right hon. Gentleman (Sir G. Clerk) to bring in any Bill founded upon those resolutions ?

Sir G. CLERK said, that of course it would be necessary to bring in a Bill to carry into effect the second resolution; but at present he could not say whether he would introduce a Bill specially for that purpose, or whether it might not be included in some other Bill for the regulation of railways.

Resolution agreed to.

THE SUGAR DUTIES.

The CHANCELLOR of the EXCHEQUER: I am anxious to take this opportunity of stating to the House the course I intend to pursue with respect to the sugar duties. Owing to the length of time to which the debate has been protracted on the Bill for the Protection of Life in Ireland, a sufficient period does not remain to enter into a proper discussion of that (the sugar) question. The various Amendments which have been put upon the Paper clearly indicate that it will occupy a considerable period of time. It is, therefore, my intention on Monday to move a Resolution continuing the sugar duties for the period of a month from the 5th of July, that is until the 6th of August in the present year, Of course, I shall do so reserving all discussion on the subject until the question is satisfactorily opened, when the discussion shall take place upon it. I shall be desirous, if the House have no objection, to introduce the reduction for free-labour sugar, which was mentioned by my right hon. Friend at the early part of the Session; but if there shall be any objection felt to it, I shall also postpone it for the period of a month

from the 5th of July, in order to give time.

MR. HUME thought it would be better to take the duties as they then were for one month.

The CHANCELLOR OF THE EXCHEQUER: It is better, then, say I will continue them for one month from the 5th of July.

PROTECTION OF LIFE (IRELAND) BILL—ADJOURNED DEBATE (FOURTH NIGHT).

The Order of the Day for resuming the debate on the Protection for Life (Ireland) Bill having been read,

SIR A. ARMSTRONG said: I shall occupy the time of the House for a very short period; but as an Irish representative I cannot reconcile it to myself to give a silent vote upon the present occasion. I have to congratulate Her Majesty's Ministers upon the improved feeling, temper, and tone in which measures affecting Ireland have lately been submitted to this House; more particularly when I recollect that a noble Lord—a late Secretary for Ireland—claimed credit for himself and the Government for that, after having been upwards of two years Secretary for Ireland, he had coifed three Irish barristers. Certainly the same noble Lord gave us a commission of inquiry into the tenure of land in Ireland. Now, Sir, no doubt there is room for essential improvement in the relations between landlord and tenant in Ireland; but the right hon. Baronet must be aware—every hon. Member in this House, who is in the least acquainted with the state of Ireland, must be aware—that three-fourths of the outrages which disgrace that country, which are a disgrace to human nature itself, are perpetrated for the possession of land; and does any hon. Member in this House suppose that making that possession more eligible, and therefore more to be coveted, will cure the malady? I fear not. Sir, the right hon. Baronet on a former occasion appealed to the Irish Members at this side of the House if it would not be more for their advantage, more for the honour, glory, and happiness of their country, that the fate and fortunes of Ireland should be bound up with the great English nation, than to think of separation. Sir, I, for one, reciprocate most cordially those sentiments of the right hon. Baronet; but I never can be satisfied with that binding up, except upon terms of perfect civil and religious equality. I never can be satisfied that my country should be bound in calf-skin, whilst that of the right hon. Baronet is bound in gold and morocco. We have it upon unimpeachable and unimpeached authority, that nearly two millions and a half of the Irish people are in a state of destitution unparalleled in the civilized world. Now, is it not the duty of men deserving the character of statesmen to place employment within the reach of such a mass of destitute human beings, but more particularly as you have prevented them by law from exercising some branches of industry which they had struck out for themselves? It is not very many years since we had several thousands acres of land under the cultivation of tobacco, affording remunerative employment to men, women, and children. There was also a manufacture of sugar from beet in the north of Ireland, and others were about being established. Both were suppressed by law—the manufacture of sugar and the cultivation of tobacco. Sir, it was the saying of a great warrior—fortunately, I think, for these countries now no more—that in order to make France a match for England she must have ships, commerce, and colonies: now we require for Ireland trade and manufactures. I would suggest to Her Majesty's Government the justice and expediency of establishing royal dockyards in Ireland. We have thousands of able-bodied men who would gladly work for one-half what you can get the same description of work done for in this country. Now, would it not be just and reasonable that some of the money so hardly earned in Ireland, and often so lavishly spent in England, should return to that country in the shape of affording useful employment to some of her destitute people? Ships of war you must build, even in time of peace, were it only to send your troops to Ireland, and to guard the Irish coast. By the way, sending troops to Ireland appears to have been always rather a pastime with you English. Your own immortal poet puts into the mouth of one of your kings, Henry II., I think, who, after having settled some disputes amongst his generals and courtiers, turns to them and exclaims, "And now to Ireland;" without doubt, in those days, for the sake of plunder, and to flesh the swords of your young warriors, as it has been in modern times to suppress disturbances which your own flagitious government of that country had fomented. At all events, ships of war you must build. I feel grate-

ful to Her Majesty's Government for the facilities it has afforded us for railroads and other public works; but those are but temporary sources of employment; they may dam the stream of poverty and its sure companion, crime, for a time, but it will overflow with aggravated force: permanent employment we must have. With the permission of the House I shall read a statement of the prices paid by manufacturers to the labourers, or operatives, I believe they call them, at Ashton-under-Lyne, and what men and women are paid for agricultural labour in my own immediate neighbourhood, in the county which I have the honour to represent, and I believe it is not much more in any part of Ireland. At Ashton-under-Lyne, wages per week: Little piecers, 13 years old, 6*s.* 6*d.* to 7*s.* 6*d.*; big piecers, 9*s.* 6*d.* to 10*s.* 6*d.*; young women as winders, weavers, or tenters, 9*s.* 6*d.* to 12*s.*; spinners (men), 25*s.* to 35*s.* In Ireland, wages per week: Men in summer, 4*s.*; in winter, 3*s.*; women and grown up girls, in summer, 2*s.*; in winter, 1*s.* 6*d.*; and they are often unable to procure labour even at that price. Now, Sir, is there not some ground for the turbulence and the discontent which rankles in the minds of my poor countrymen, and will a Coercion Bill cure that? What is it, then, that we require for Ireland? First, that you should deal with the anomaly of the two churches in that country; make a provision for the Catholic clergy—if the Protestant Church is too highly paid subtract from it, but at all events provide for them. But you tell me they will not take it. I differ with you. I have had conversation with several Catholic clergymen, men exemplary in the discharge of all their religious and social duties, affording an example to clergymen of other churches, and I never found one who said he would refuse a house and some land attached to it, were it offered to him. Now, in this case, I really do not perceive the difference between taking money and money's worth. Give us a full and fair franchise, and a juster proportion of representatives in this House. Encourage manufactures in the country—plant them there. The poor peasant will then get a fair price for his labour between the rival trades of manufactures and agriculture—he will not then cling with a death grasp to the miserable patch of land which he has neither capital nor skill to cultivate to advantage. This is what we require, and not a Coercion Bill, which will only make matters worse. Depend upon it, the name of that statesman who shall thus lay the foundation-stone of the temple of concord between the two countries will descend to posterity with fairer renown than ever hallowed the name of any British statesman.

Mr. BENETT would not have intruded on the House but that he was anxious to say a few words on the subject before it. If he had been in the House when the Bill was brought in, he might have put confidence enough in Government to have voted for that Bill without much inquiry. It was not, however, then in his power to be present. He had not then sufficient physical power to attend in his place, or he might have fallen into the error of taking it for granted that the Government were quite right in bringing in this measure, and have voted for it. He had since taken a great deal of pains, according to his own judgment, to consider what the effect of that Bill might be. He had first of all looked upon that Bill as an unconstitutional measure, and he felt that he should exercise a great deal of caution before he gave his sanction to a measure that was unconstitutional. He had felt strongly with respect to the condition of Ireland for a long time past. He felt that it was incumbent on the Government to adopt measures for the preservation of life and property in that country, and he would go a very great length to attain that object. But he should consider whether there was any necessity for an unconstitutional measure; and the delay that had taken place had destroyed, in his (Mr. Benett's) opinion, the immediate necessity for such a measure as this. A man, under the proposed law, would be liable to transportation for seven years on being out at night; and he should, before voting for it, be satisfied that such a law was justified by the circumstances of the country. He (Mr. Benett) had on consideration made up his mind that he could not support this Bill. He had made up his mind that conscientiously he had no right to support it. What, then, had he a right to do as an independent Member of Parliament having no regard to parties? Either to absent himself from his duties, or to vote against a measure which he thought was uncalled for? That was the position he was in. He would ask, why did they not attack the monster grievance of Ireland—the system of misleading the people by means of agitation? There appeared to be a difference among lawyers as to the illegality

of attempting to dismember the Empire. He considered such an attempt clearly illegal; but if it were not, why did they not bring in a Bill to render it so? It was treason to attempt to alter the Constitution, and, in his opinion, it was equally treason to dismember the Empire. As to the Bill before the House, he did not object to that part of it which gave power to the Lord Lieutenant to impose a greater expense on the landowners of a disturbed district; but he did object to the people generally being punished, by not being permitted to leave their houses from sunset to sunrise, while the system of agitation by which they had been misled was suffered to go on undiminished. He would wish to see the law of Ireland assimilated as much as possible to that of England. He would wish to see a proper poor law, for instance, introduced—he did not mean the poor law as it now existed in this country, but the principle of the poor law of Elizabeth. He would wish to see the landowners compelled to find the people in work for the purpose of maintenance. But, until the system of agitation existing in that country were put down, he thought it would be impossible to expect that peace and order could be restored. He remembered being present at a trial of the late Mr. Cobbett, when he brought forward one of his *Registers* to show that he had not attempted to excite the people to perpetrate the acts of incendiarism then so common. The substance of the article read for his defence was as follows:—

"My beloved friends, these fires are very mischievous, and you are wrong in carrying them on. They do but little harm, though you think they do a great deal. These diabolical Whigs are watching me, and therefore I must be cautious in advising you. There are in Wiltshire and Dorsetshire immense fields of wheat, many of them of 500 acres each. Now these fields, just as they are turning yellow, are very inflammable; and they have, besides, generally public paths in them. You should be, therefore, cautious not to light your pipes on going into them, because you might accidentally set fire to them, and thus burn 500 acres at a time; for remember that these diabolical Whigs would hang you as they would hang me."

Now, he considered that advice similar to the language held out to the people of Ireland. Men were told that they would be traitors to the cause if they did not keep the peace; but they were at the same time reminded that their strength was that of seven millions. The Government were afraid to stop this agitation on account of its strength. He asked a friend of his, who was also a friend to Her Majesty's Government, the other day, why they did not take the bull by the horns in Ireland? and his friend's reply was, "Because the bull has got horns." The Government were ready to attack the poor man and to subject him to enormous punishment because he was found out of his house at night, but the bull with the horns was let alone. For this reason, though he was anxious that every possible means should be taken to put down the dreadful system of assassination which prevailed in Ireland, he could not conscientiously vote for the second reading of this Bill, and it would be cowardice, therefore, not to vote against it.

CAPTAIN LAYARD quite agreed with the hon. Gentleman who just sat down, in giving a cordial opposition to the second reading of this Bill; but he could not agree in the arguments which the hon. Gentleman had addressed to the House. He did not think the hon. Gentleman was quite wise in introducing his quotation from Cobbett, showing the easy manner in which any rascal or scoundrel could do great damage to the country. The hon. Gentleman did not think that the Government had done enough to put down the agitation in Ireland; but if he recollected the trial that had been instituted against the leaders of that agitation—the jury that had been selected on the occasion—the judge who had been selected on the occasion—and many other circumstances which led to a strong suspicion that there had not been fair justice done to the parties tried, the hon. Gentleman could be scarcely justified in accusing the Government of not having used at least great energy in endeavouring to put down the agitation. Though an Englishman, he could say from his knowledge of Ireland that the people of that country, from their great patience and endurance under suffering, were not likely to be agitated unless great cause of discontent existed among them. When he had last the honour of addressing the House on this question, he said—speaking to his noble Friend the Member for Lynn—that he would be delighted if the noble Lord and his party would aid them in throwing out this Bill. He was happy to have that opportunity of expressing his thanks to the noble Lord and his Friends for the promise they had given. As that party might eventually take the reins of government, he would remind them that they must do justice to the people of Ireland if they wished to maintain the Union between the

two countries. Some hon. Members who usually supported the noble Lord did not, he understood, intend doing so on this occasion. Now these hon. Gentlemen had been loud in their cheers whenever the sentiment was expressed of the want of faith in Her Majesty's Government; and if such were the case, how dared they, he would ask them, come down to the House and say that they would trust the Government to legislate for Ireland when they would not trust it to legislate for themselves. He thought they might gather from the speech of the right hon. Baronet himself that this coercive measure was not necessary, for he said, that of the five counties that were disturbed, namely, Limerick, Clare, Roscommon, Tipperary, and Leitrim, a great part of the crimes which existed in the latter county had been suppressed by a large military force having been thrown in, and by the activity of the magistrates in that locality. Now, he would ask, why had not the same means been resorted to in the other four counties? It was also remarkable that the representatives of every one of these counties, with a single exception, that of the noble Lord the Member for Leitrim (Lord Clements), were strongly opposed to this measure. There were only three or four Irish Members who spoke in favour of the Bill, and even they were not satisfied with it as it stood. They were told that great changes might be introduced in Committee; but it had been already considerably altered in its progress through the House of Lords, and he believed that not one clause now stood as originally drawn up. He was convinced the right hon. Baronet had not read the Bill before it was brought forward in the House of Lords, or he would never have sanctioned such a measure. He heard that some hon. Gentleman on that (the Opposition) side of the House meant to vote in favour of this Bill. He could not conceive how, if they believed that the Bill was wrong, they could reconcile it to themselves to support it, because they wished to pass some other Bill that they thought to be right. They should recollect that, though free trade in corn was not by any means a popular measure in Ireland, the Irish Members supported it because they believed that it was an honest and a good measure. Some of these hon. Members had to a certain extent lost the confidence of their constituents by the course which they had taken in support of the Corn Bill; but yet they were not deterred, even by that, from acting as they felt to be right. And he would ask, what sort of return would it be among men having a sense of right or wrong, or of gratitude within them, if, notwithstanding all this, other hon. Members who talked of liberality were yet to vote in favour of the Coercion Bill, and that merely because the Corn Bill was not safe. But he would say the Corn Bill was safe, and there was no reasonable man, either in or out of that House, who did not believe that it was safe. Lord Bacon said truly that there were three things which made a nation great and prosperous—a fertile soil, a busy workshop, and an easy communication for men and merchandise. These, with education and freedom, would make any nation prosperous and happy. Now Ireland had admittedly a fertile soil, but she had not the busy workshop; and that, he thought, they should exert themselves to provide for her. The great want of Ireland was employment for the people. Government had the power of providing the means of work; and he knew of no mode of employing the resources of the country to a greater advantage than in the prosecution of public works. The extension of railways was of great advantage. Money had been lent by Government to the Dublin and Kingstown Railway, which had been repaid; they had also lent money to the Drogheda Railway, which was now in process of being paid back. These things having answered so well, there was every reason to hope that Government would give further consideration to this mode of prosecuting public works. He gave the noble Lord (the Earl of Lincoln) credit for the Bills which he had recently brought in; but he feared they would fall short of the object. Interference between landlord and tenant was a subject of great delicacy; and he rather thought that the Bill on that subject, as it stood, would give more cause for discontent than satisfaction to the people for whose benefit it was intended. The introduction of Indian corn had, however, been of great benefit, for he understood that since its introduction fever was much less prevalent than it had been for many years. There wss much reason to apprehend that too many hon. Members were not so well acquainted with Ireland as it was desirable they should be. For his own part, he could bear testimony, from personal observation, to the distress and misery prevailing in many parts, and to the efforts made by the priesthood for its alleviation. The

poor, indeed, had none to apply to but to their priests, and it was this which gave that body so much power and influence; and he was proud to say that the assistance which they were able to give to the people in their distress had always been rendered with the utmost readiness and cordiality. Many Gentlemen thought the Union between this country and Ireland could not be maintained. He held a different opinion; but, at the same time, there must be equal laws and equal justice. A happy and contented people would thus be created, on whose part there would never arise a wish to dissolve the connexion of Ireland with this country.

MR. HENLEY observed that the Bill which was now before the House for a second reading had come down to that House so long back as the 16th March, and was then ordered to be printed. It was a Bill proposed to the Legislature, because in the Speech of Her Majesty it was said that deliberate assassinations were committed in Ireland; and the Speech was delivered on the 22nd January. He was one of those who thought that when any measure came down from the House, in consequence of a message from the Crown, that in common decency towards the Crown, and courtesy to the other House, that Bill ought to be read a first time, in order that they might give to it their full consideration. This was the consideration that induced him to vote for the first reading of the Bill, even though at the same moment the usual criminal returns made annually to Parliament did not tend to show the necessity for it. Having paid some attention to the statistics of this subject, he was surprised to find that such a Bill was asked for, when the criminal returns tended to show that there was a diminution of crime in Ireland, as there had been in England for the last three or four years. In 1842, the number of committals for various crimes in Ireland was 21,186, and in 1845 16,696 were committed for trial. Committals might not give an exact idea of the true state of crime; but still it showed that a certain number of persons were arrested, and were to be brought to trial. He took these as a test which was adopted in this country. It was satisfactory to know that in four years there had been a diminution from 21,000 to 16,000. That was, he thought, a desirable state of things; and notwithstanding that he had thought it to be his duty to vote for the first reading of the Bill. Before any such stringent and unconstitutional measure as this was granted by Parliament, it ought to be convinced that there was a strong case made out for it; that this particular measure was calculated to meet that case; and that the parties bringing it forward had the confidence of Parliament, and had given evidence of their belief in the necessity for, and the adequacy of, the measure they proposed. He thought also that measures of an unconstitutional and a coercive nature were not safe to pass unless there was a pretty general concurrence with reference to the necessity for them; indeed, very few measures of a strongly coercive nature had ever been passed with any good results, unless both the great parties in the House agreed that that necessity existed. And, in the present instance, seeing the very uncertain state in which the Government of the country was placed, he confessed that some doubt was thrown upon the subject when the noble Lord, who, in the course of a short period, was quite as likely as the right hon. Baronet to have the responsibility of the government of Ireland resting upon him, had distinctly stated that in his opinion the public necessity required no such measure as that under consideration. He had looked into the question with the best attention that he could give to it; and he was bound to say, after doing so, that he could not, upon the evidence submitted to him, arrive at the conclusion that a case had been made out, or that if it had, the present measure was adequate to meet it. The effect that must inevitably attend the introduction of the measure, therefore, would be greatly to irritate the public mind and to do much evil. The Members of the Government who had spoken upon the subject had uniformly declared that the Bill was not necessary as regarded the whole of Ireland, and that it was called for only by the disturbed state of five counties. Now this was a point which the House should carefully bear in mind; and as the case was one so entirely dependent upon evidence, he trusted hon. Gentlemen would excuse him whilst he referred to a few figures. By the police returns in the Parliamentary Paper, No. 217, he found that the number of homicides in all Ireland in the year 1842 amounted to 106; in 1843, to 122; in 1844, to 146; and in 1845, to 139; showing a considerable increase in 1844 as compared with 1842; some diminution in 1845, but still an increase when compared with 1842. He

would now take the five counties for which the Bill was more particularly intended; and he found by the returns that in those counties the homicides were 38 in 1842, 45 in 1843, 47 in 1844, and 42 in 1845. Thus it appeared that in the five counties upon which the Government rested their case, the increase of homicides was less in proportion than in all Ireland. Yet in this state of things, as regarded all Ireland, they were told that there was no case made out for the Bill except for the five counties. The next class of offences to which he would refer was "attempts to murder attended with injury to persons;" and the numbers of these were in all Ireland—

	1842.	1843.	1844.	1845.
In all Ireland ...	40	27	56	45
In the five counties	13	12	29	43

This showed that there had been a slight proportionate increase, in the five counties, in "attempts to murder attended with injury to the person." The "attempts to murder unattended with personal injury," exhibited a similar result :—

	1842.	1843.	1844.	1845.
In all Ireland ...	54	48	68	114
In the five counties	22	18	32	68

The "assaults endangering life," were—

	1842.	1843.	1844.	1845.
In all Ireland ...	249	210	249	237
In the five counties	0	0	0	63

Of these sixty-three "assaults endangering life," nine only partook of an agrarian character. Of "aggravated assaults," the numbers were—

	1842.	1843.	1844.	1845.
In all Ireland ...	420	444	501	540
In the five counties	0	0	0	141

Thirty-nine of the offences in the five counties were agrarian. He would now direct the attention of the House to another most important point in the consideration of this Bill; he alluded to the question of committals for homicides. He found by the criminal returns, that in 1844 there were in all Ireland 146 homicides, and 135 infanticides, together 281; that there were committed for trial on charges of homicide, 292 persons; but that only 70 of that number were found guilty—a very small proportion indeed of those committed. In 1845, the homicides were 139, and infanticides 107, together 246; the number of persons committed for trial was 338, and 125 only were found guilty—still a small number, but exhibiting a somewhat more effective administration of justice. He then came to the five counties, for which there was no return of infanticides; but he had assumed that they bore a relative proportion to all Ireland; the result was, that in 1844, the number of homicides was 47, and of infanticides 37, together 84; and that there were committed for trial 82 persons, of whom no less than 37 were found guilty—a much larger number of convictions in proportion than in all Ireland. In 1845, the homicides in the five counties amounted to 42, and the infanticides to 32, together 74; 135 persons were committed for trial, and 50 were found guilty. In the Return laid upon the Table on the 8th of June, and entitled, *Abstract of Police Reports from Five Counties, &c.*, he observed this little note—"Threatening notices not followed by any overt act are omitted;" and how many threatening notices, accompanied by overt acts, did the House think the Return contained? Why, not above three or four; he believed only two. But when he came to the Return for all Ireland, for the year 1846, which was laid on the Table on the 12th of this month, and contained a list of 2,098 offences, he observed that all the threatening notices were included, whether accompanied by overt acts or not; and they amounted to the large number of 813. Under the head of "Assaults endangering Life," the same Return showed that there were 53 in the five counties in 1846; but that 24 of them had been already brought to justice. Having gone through these returns, and given the question his best attention, he could arrive at no other conclusion than that the case for the Bill before the House had not been made out. But, if the case were made out, the next matter for consideration was, if the present measure were adequate to the purpose for which it was intended? He thought not, for, after giving his best attention to the returns of crime in Ireland, and which were laid on the Table of that House, he thought the law as it stood was quite sufficient, without the adoption of such a coercive measure. He had conversed with several Irish gentlemen on the subject, not one of whom spoke in favour of it; their opinion being that it would effect no possible good; that it would do no good at all; and surely if the measure could do no good, where was the use of voting for it? As for his part, believing it was neither necessary nor adequate, he would not vote for the second reading. The right hon. Baronet at the head of the Government appeared himself to fight shy of the Bill; he tried to put the House into this position—that the question

which they had to decide was not whether they were to go into Committee on the Bill which the Government had proposed, for the purpose to remove or to mitigate what might be thought by the House to be objectionable; but the question was, whether the House would object altogether to the proposal, and refuse the consideration of the Bill, or would they say that the present condition of Ireland could be dealt with by the existing law, and that no additional protection was necessary? The right hon. Baronet also stated, that he hardly thought that any man acquainted with the state of Ireland could deny the allegations of the Government, that measures of some kind or other were immediately necessary for the security of life and property. When he heard that guarded and very safe statement of the right hon. Baronet, he thought in his own mind that the right hon. Baronet should not have appeared so very independent towards the noble Lord the Member for Lynn for the expression of his opinion as to the possibility that the Bill might not, after all, be passed by Her Majesty's Government; the right hon. Baronet, even from his own language, not eliciting those very stringent feelings which would be indicative of his determination to carry the Bill in its present shape. He talked of its improvement in Committee—of the removal of something objectionable—of its mitigation. But if it were the opinion of some hon, Members that, in its present shape, it was inadequate and useless, what would be its strength or effect if it were farther weakened or mitigated? When he heard the declaration of the right hon. Baronet he thought it just amounted to this—"Will you not do something?" and that was quite an Irish mode of doing business. It appeared from the return of crime that the house of a man of the name of Middleton was attacked by some night assassins. A shot was fired which penetrated the door. Middleton rushed out; but seeing no one, he fired a shot of defiance; and very similar was the conduct of the Government as regarded the Bill—it was quite a random shot. It might take effect, or it might not. But, he would ask, was there that in the conduct of the Government which would justify the House to go into a wild and useless inquiry in Committee—a proceeding which would be as wild and as uncertain as Middleton's shot at defiance. Would any good result from such a Committee? None whatever. As soon as the Bill went into Committee, various hon. Members would at once begin to move "instructions." One hon. Member would no doubt move instructions for the removal of the monster grievances of Ireland; another, probably the hon. Member for Stroud, would move "instructions" to stop the commission of crime by feeding the people—and there was nothing more likely to do it—and, as many of the outrages were of an agrarian character, suppose the hon. and learned Member for Cork would move an "instruction" for the tenure of land; while the noble Lord the Member for London, when he looked at the state of Ireland in 1842, when matters went on very well under the due administration of the common law, that noble Lord might move an "instruction" that it be enforced to put down crime and agitation. Under such proceedings, and which might be anticipated, would it not be a wild inquiry? He thought it was a great pity that the Government were not satisfied to rely upon the common law, as he believed it to be sufficient to meet the evil. He had looked through the entire returns of 1845 without being able to find any distinct reason for crime. The reasons that had been assigned by the police he considered to be most absurd. He thought, in looking at the social condition of Ireland, that there were some parts of that country in which civilization had not so far advanced as in other parts, which should not be lost sight of in judging of the commission of crime. He believed that the remedy for those evils did not rest with coercion—that to effect that they should give them greater comforts, and extend the means of affording education to the people. He believed they required an additional tribunal for the trial of offences in Ireland, as they had sufficient powers by means of the police to detect crime; and looking at the entire state of that country, he had to express his opinion that a case had not been made out for the introduction of the measure, and, therefore, he would vote against it. The evidence that had been produced as regarded the existence of crime in Ireland, if produced in reference to England, in order to pass a similar measure for this country, would not have obtained a single vote in its favour; and, therefore, he could not, as an honest man, agree to the passing of a Bill for Ireland, which he should reject if proposed for England.

SIR H. WINSTON BARRON congratulated Ireland upon the excellent speech of the hon. Gentleman opposite, who had dis-

played so much industry in devoting his attention to the question. It was a speech which afforded him (Sir W. Barron) the greatest gratification to have heard, and which he hoped would be indelibly impressed upon the minds of his countrymen. He rejoiced to hear such sound principles laid down with reference to the manner in which Ireland ought to be governed; and he regretted that some who were immediately connected with the government of Ireland were not present to hear the admirable maxims which it contained. He regretted particularly the absence of the noble Lord the Secretary for Ireland, who thought it his duty a few nights ago to taunt the Irish Members with their absence from a debate, as it would be of great advantage to the noble Lord to hear the unanswerable arguments which that speech contained. He also wished that the Solicitor General for Ireland could hear what an honest Englishman considered the real manner of governing Ireland, and that he might hear the unanswerable arguments with which he supported his view of the case. This Bill was opposed to common sense, to justice, and reason; and it was a Bill, as the hon. Member who spoke last had justly observed, which, if it were intended to be applied to England, not one Member of that House would be found to vote for it. He (Sir W. Barron) concurred in that view; and he thought, at all events, that with the exception of Members who were under the complete dominion or influence of the Government, no other Members would dare to vote for such a Bill if it were intended to apply to England. He was opposed to this Bill; for he believed that if it were carried it might be made the means of annoyance to the sober and well-conducted people in Ireland, whilst it would utterly fail in suppressing that species of crime against which it was directed. Many similar Acts had been brought into operation at various times during the last forty years, and every one of them had signally failed in accomplishing its purpose, as all Acts of that nature would fail until Government struck at the root of the evil and provided employment for the people. The existing laws had always been found successful in suppressing crime in Ireland; and he was convinced that if they increased the police force where it was required, and appointed stipendiary magistrates if necessary, the existing law was quite capable of meeting the existing circumstances of that country, and that this Bill was therefore altogether unnecessary. The offences against which this Bill was directed had no connexion whatever with party or with politics. They were confined to a small portion of the lowest and most ignorant class of the people, and for that reason could be suppressed by the increase of the police and stipendiary magistracy where necessary, without requiring such a Bill as this. There had been a greater degree of disturbance in Ireland in former years, and it had been altogether suppressed by the existing law. For example, the county of Clare was much more disturbed a few years ago than any part of Ireland at present was. Large bodies of the people roamed about the country in the open day, and turned up the land by force, in addition to other acts of violence; and all that state of things had been put down by the operation of the ordinary law. There was a party who believed that nothing ought to be done for Ireland unless by means of coercion, and who wished to see Ireland governed in a different manner from that which was adopted towards other countries, and therefore would prefer coercion to governing Ireland according to justice and humanity, and the principles of the British Constitution; but that system could not now be applied to Ireland successfully, for they should learn to govern that country by the ordinary law of the land. Believing this, he thought it a serious error for the Government to introduce such a measure as this for a sop to the party to which he alluded. This was not the way in which Ireland ought to be dealt with. The Government ought to commence the improvement of Ireland by giving employment to the people, and instructing them in agriculture. That was a most important consideration, for it was well known eleven-twelfths of the people of Ireland were employed in agriculture. He thought that it was a most important object to establish agricultural schools. Government also ought to make advances for public works; and he could not help remarking, that great penuriousness had been exhibited in this respect, considering the poverty of the country. The advances which had been already made had been repaid; and he thought that Ireland had been unjustly treated, in being charged with a higher rate of interest than England, whose public works had in several instances been carried on with the public money at 3½ per cent interest. It was absolutely incumbent on the Government

to advance a large sum of money for public works, such as railroads, which were now being carried on in Ireland. Government would run no risk on the subject, because the companies would give ample security for the money. With regard to this Bill, he was sure that coercion would do no good, and would only exasperate the people, and therefore he must vote against the second reading. He should also vote against the Bill on account of the manner in which it had been introduced into the House. At the time it was brought forward it was represented that crime was rife in Ireland, and that it was necessary to pass the Bill with the greatest possible expedition. He found, however, that the Bill had now been in that and the other House of Parliament something like five months; a fact which showed that the Government did not think that there was any urgent necessity for the measure.

CAPTAIN FITZMAURICE would support the measure, which he thought necessary for the preservation of life and property in Ireland. He had voted for the first reading for the same reason. He regretted that he should differ from the noble Lord the Member for Lynn; but such had been the change in parties, that an hon. Member on his side of the House could hardly say to which or to what party he belonged. It was an old saying, that it was a clever child who would know its own father; but he thought he would be an uncommonly clever man that would know his own party. One night he found himself in the same lobby with the noble Lord the Member for Lynn, another with the Government, and perhaps on another with the noble Lord opposite. However, he was of opinion that they could not permit the measure to stand still. Ireland would be greatly excited if it were rejected; indeed, he had no doubt but in that event there would be bonfires blazing from Connemara to the Hill of Howth. A great deal had been said about the inconvenience the Bill would cause to the industrious and well disposed; but he could not see how it would; and even if it did, it was an inconvenience every good subject and lover of peace and order ought to submit to for the purpose of repressing the frightful state of things which prevailed in many districts. The noble Lord the Member for the city of London had spoken of the expediency of sending a larger military force to Ireland for the purpose of patrolling and garrisoning the turbulent localities; but he (Captain Fitzmaurice), as a military man, must declare, that he could not see how any military patriot, however vigilant, could guard against the acts of marauding vagabonds, who travelled from a distant county, committed the outrage, and then fled. Factions were the curse of Ireland, It was in consequence of these factions that two men were lately shot at Birdhill; and to this tyrannical influence most of the shocking murders and other dreadful outrages might be attributed. It was extraordinary that a peasantry so remarkably brave when fighting the battles of this country should at home submit to be dictated to by an ignorant, low-minded, evil-disposed society. The fact was, if a tenant or labourer gave just offence to the landlord or to the farmer, and that the offender was dispossessed to supply his place with a better man, the incoming person stood a great chance of being murdered, or, perhaps, the landlord himself. These factions treated the good landlords as they treated the bad ones. His brother did all he could for his tenantry. They asked him to build a mill for them. He did so; but it was no sooner erected than it was burned down. What encouragement then had a landlord for acting with a kindly disposition when he was so barbarously requited? Passion might sometimes blind a man, and, acting under its influence, allowance might perhaps be made for those offences which had been committed during the temporary insanity produced by violent passion; but what could be said in defence of those cruel murders perpetrated on women and children, helpless beings, whose condition should rather excite commiseration than revenge. Four or five miles from the town of Clare, a house had been set on fire, and the incendiaries guarded the doors and windows, in order to prevent the escape of the inmates. When the flames rose the mother put her child out at one of the windows, that it might be saved; but the miscreants pushed it back into the flames. In Galway a peasant gave evidence against a man, and that evidence procured his conviction. The witness, believing he would be murdered if he remained, went out of the country, but left his child in charge of a girl ten years of age at his cottage. The faction visited the House, and not finding the victim they sought, cut off the girl's head and nailed it to the door. [An hon. MEMBER: Where was that?] He could not exactly name the place. [Mr. SHEIL:

When was it?] It was some years ago. [Mr. SHEIL: Not since 1819?] He could not tell exactly when. He could not do so then, but he mentioned the matter as an illustration of the atrocities perpetrated by these factions. He thought the right hon. Baronet had spoken truly when he said that the Irish people ought to place more reliance on their own industry. A writer in the time of Mr. Pitt used language applicable to the present. He said—

"Though these concessions are acknowledged as a great benefit by the Parliament of Ireland, they are not followed by great improvements. The exertions of the Irish people themselves are wanted to give that good effect to them which the originators of them proposed."

The peasantry of that country had been led to expect too much from a single act of Government, and exaggerated the benefits which it was possible for the Legislature to confer on them—they wished to jump at once into that prosperity which a long course of patient unwearied industry could alone procure. He thought he saw the dawn of better days for Ireland, and he hoped the period was not far distant when she would be regarded not as a thorn in the side of England, but her rival in manufacturing productions and in agricultural skill.

MR. HAWES reminded the House that the hon. Gentleman who had just sat down had, in order to justify this measure, been obliged to go back to a case which occurred more than twenty years ago. He wished to know on what grounds this Bill was defended? Was it on account of the crime and outrages prevailing in particular parts of Ireland, or on the general state of crime in that country? The right hon. Baronet (Sir J. Graham), in proposing the Bill, had urged the first ground, while the noble Earl had more insisted on the second; and the papers the Government had produced lately on the subject of crime in Ireland seemed still further to favour the opinion that they were desirous of shifting the ground on which they asked the House to support the Bill. The statements of crime in Ireland were much exaggerated, and the returns inaccurate. The circular letter of the Clerk of the Crown to the magistrates of Ireland, desiring that witnesses should be examined in the presence of the prisoner, showed the carelessness and indifference which had prevailed in taking depositions; and there was an obvious distinction between an increase of crime and an increase of committals. Was there such an increase of crime in Ireland as to justify extraordinary means of repression? What were the proofs? In the first place, the official tables were produced; and in the second place, certain special returns, and subsequently some supplementary returns, were made. The latter related chiefly to reports of outrages to the police; but these reports were certainly the least authentic kind of evidence upon which Parliament could act. On looking at the official tables of criminal statistics, he was satisfied that the proof altogether failed. There was no pretence, indeed, for saying that such an increase had taken place of crime in Ireland as to justify the introduction of such a Bill as that before the House. Since 1842 there had been a regular, steady, progressive decrease in the gross amount of committals; the numbers being in 1842, 21,100; in 1843, 20,100; in 1844, 19,400; in 1845, 16,600. There was thus a decrease of 14 per cent in 1845 as compared with 1844; and upon murders there was a decrease of 28 per cent. As to the special returns, one of the offences to which they related was the sending of threatening notices; but that was clearly an offence, as already remarked, to which the Bill was not applicable. Then, under the head "Homicides" was included every case where life was lost; and no distinction was made between instances in which death resulted from mere accident, and those in which a malicious intent could be traced. So far with regard to crimes in all Ireland. He would now come to the case of the five disturbed counties, and show, from the returns, that they were not justified in asking for the present Bill on the assumption that there had been a great increase of crime. He admitted that an increase had taken place; but it was not in that class of crime which was attended with the most grievous results, but in that which was accompanied by the least loss of life. In the crime of murder there had been a decrease of 28 per cent. He contended that the Bill would not be efficacious for the purpose intended. For 150 years they had always governed Ireland either by military force, or party jobbing and Insurrection Acts; and this system of government had been uniformly accompanied by a miserable condition of the people. The state of the great body of the people of Ireland had been all along overlooked; and they now proposed to continue the old policy which had hitherto completely failed in giving happiness to Ireland. It could not be denied that there was great social

disorganization in Ireland, and an unnatural amount of crime; but other means than those of coercion must be adopted to put a stop to this state of things. It was said that this Bill would have a good moral effect; but if they depended upon the moral effect of coercion for producing tranquillity, they would be miserably disappointed. He denied that there was the great difficulty to get juries to convict, and witnesses to give evidence, which had been so often stated. Juries did convict, witnesses did give evidence, and justice was administered, and was much more likely to be administered if left to its natural course, than by governing the country by unconstitutional means. He was prepared to show that the state of Ireland was improving. So far as crime was concerned, he had already shown that it was improving; and he could state with satisfaction, that the value of land was increasing in Ireland. The years' purchase for freehold property was beyond what it was in England, being thirty-six years and a half. The value of property generally was also increasing: and the general trade of the country, and consumption of excisable articles. The Bill, in short, was wholly unnecessary. Not that steps should not be taken to improve the social condition of the people; the three Bills lately laid on the Table showed that the Government was disposed to do that; and one of the advantages of these debates was, that that condition was more exposed to view. There had been inquiries by Government Commissioners, and by "*The Times* Commissioner;" that gentleman had prosecuted a most laborious and comprehensive inquiry, and presented to the public in that newspaper an invaluable mass of matter: though the views of the writer differed entirely from his as to the remedies to be resorted to, there was such a mass of important information in those "Letters," showing the state of the country and the causes of its disorganized condition, that he hoped and trusted they had been extensively read. But England must make up its mind to govern Ireland in a far more dispassionate spirit than hitherto, and by Irish instrumentality, and with reference to Irish feelings and interests; the Government must be more national. Let the statements he had made be answered, and not as the right hon. Gentleman answered him before, by taking particular short periods of time to set against his (Mr. Hawes's) accounts, embracing long periods. The Bill was reprobated by the Irish Members on his side of the House, and on the other side but one Member connected with Ireland had spoken that night in favour of it; and that gallant Member (Captain Fitzmaurice) was the only Member who had attempted to show that the Bill would be effectual to suppress crime. He hoped and trusted that the House would not only throw out this Bill, but that its decision would have the moral effect of putting an end at once to the unjust and odious system of governing Ireland, which had ended in demoralizing and pauperizing the people, while it had increased the value of the property of the landlords. Ireland was in no better state than she was a century ago. In looking the other day at the Bedford Correspondence, he found the Lord Primate writing thus to the Lord Lieutenant in 1758 :—

> "The bulk of the people are not regularly either lodged, or clothed, or fed, and those things which in England are called necessaries of life are to us only accidents, and we do in many places without them. The estates have risen within these twenty years to near double value; but the condition of the occupiers of land is not better than it was before that increase."

Similar language was used by Dr. Madden, in 1837; and the Devon Commission used nearly the same words last year—"badly housed, badly clothed, badly fed." The testimony of Inglis, and Kohl, and *The Times* Commissioner, was all to the same effect. Could the people, then, be expected to remain tranquil? Who could wonder at the Repeal movement? He believed that if he had been an Irishman, he should have been a Repealer. So strong was his impression of the intolerable injustice inflicted upon that country, that he wondered at no struggle on their part. He hailed the three measures lately introduced by the Government, though they fell far short even of what the Land Commission recommended above a year ago; he saw marks of a better tone and spirit on the part of the Government; and if practical measures were adopted, directed to the amendment of the social condition of the people, the course would be taken which alone would continue to unite Ireland with England.

LORD F. EGERTON had been told that by some combination of parties this Bill was to be rejected on the second reading. He did not suppose that he had any influence or authority in the House, which would entitle him to bring into question the justice or expediency of such a course of proceeding on the part of those who formerly considered some such measure

as this to be necessary, or who at least, at a former period, considered some such measure as this, when amended in Committee, to be conducive, if not essential, to the promotion of those great objects, the security of life and property in Ireland. His object rather was to explain his own views, at the same time paying that deference he owed to those hon. Gentlemen on the other side of the House who, from the first, giving their reasons for the course they pursued, had disapproved of the measure; and apologizing as he best might to the Irish Members for the course which he, an English gentleman, took differently from them. He should have been inclined, at one period of the discussion perhaps, to take the advice which he understood had been given in another place, and to follow the rule of begging the question as to the necessity for this Bill; at least he should have been unwilling to load this discussion with any remarks of his on that part of the subject; but the observations which had fallen from the noble Lord the Member for London, and the hon. Member for Lambeth, made it necessary perhaps for him to show some reasons why he thought, and still continued to think, up to that moment that some such Bill as the present was necessary. It would rather be for some Members of Her Majesty's Government, who had pursued the subject closely through all its details, to answer the remote statistics which had been brought forward with much ability and skill by the hon. Member for Lambeth. But there were certain broad facts, which upon the face of the record it was impossible to deny. It certainly appeared from the statements laid before the House by the noble Lord the Chief Secretary for Ireland, that there was the undoubted and acceptable fact of a diminution of crime through the whole of Ireland. He did not represent Her Majesty's Government on this occasion; he could not say on what they rested their case for this Bill; but as far as he had heard or read the discussion—for he had not been able to attend on every occasion—he did not understand the noble Lord the Chief Secretary for Ireland, or any other Member of the Government, to rest the necessity for this Bill upon the whole state of Ireland. But it did appear to him, from the statistics laid before them by the Government, that though there were minute variations in the monthly returns of crime; yet, in the five counties where the Bill was intended to operate, there was only one where there was any material variation; and that during the whole of the last five months, from December to June, in these five counties, containing within their area one-sixth of the whole population of Ireland, the crimes which were here described, and which they sought rather to prevent than to punish—for that was the object of the Bill—amounted to sixty per cent of the whole crime of Ireland. It was really difficult to follow the classification of crime in Ireland. He must say, that when the hon. Member described attempts to murder which were not carried into effect as not in the grossest class of crimes, that appeared to him to be a classification of crime which he could not understand. But the question which was really at issue appeared to him to be that which the hon. Member for Waterford had put in a portion of his speech. The question really appeared to him to come to this, whether the ordinary powers of law were sufficient to attain the purpose of repressing crime, or whether this Bill might be expected in any reasonable degree, or according to ordinary calculations, to effect that purpose. There might be objections brought to the details of the Bill, such as were brought by the noble Lord and by the hon. Member for Lambeth; but he believed that there were few of those observations which would not apply to the Bill that was introduced by the Whig Administration in 1835. He mentioned this fact only to show his grounds for the difficulty he felt in excogitating any Bill which would not be open to the same objections, and that directly in proportion to its aptitude for the purpose it was intended to effect. He did not like to prophesy in the House; but he would almost venture to predict that should those events happen which were anticipated, and should the noble Lord opposite find himself in power—should the benevolent intentions towards Ireland, which he was sure he entertained, fail of an early and immediate attainment of their purpose—should those projects, which are somewhat vaguely called plans, for the amelioration, and improvement, and regeneration of the people, lag behind the progress of those great social evils which they all lamented, then he thought they would find the noble Lord come down to this House and propose either a measure somewhat analogous to the present, or differing from the present only in being a some-

what wider departure from the principles of the Constitution. He fairly said to the noble Lord, that if it should be his fortune to be in the House at that period, and the noble Lord were to come down with a case as satisfactory, or rather as unsatisfactory and lamentable as the present case, for a measure involving even a more large departure from the principles of the Constitution, the noble Lord would find in him a strong bias in its favour. If the noble Lord were to propose now, as a substitute for the present measure, a suspension of the Habeas Corpus Act, he should be disposed to enter upon a consideration of it with somewhat of a bias in its favour; and he should not hesitate briefly to explain his reasons for it. He believed that the crimes which they were now seeking to prevent, were mainly committed in carrying out the edicts of secret associations in Ireland; and he believed that the objects of those associations were neither very numerous, nor altogether impossible to be detected; and he believed, though he would name no names, that there were individuals who, if they were entrusted by Parliament and by the Lord Lieutenant with moderately restricted powers, would sweep the district, within a very few hours, of those who were the cause of these disturbances, and would thus remove the incubus, the main root of the evil, which strangled every measure of improvement, and set at defiance the ordinary powers of law. That was his reason for saying that if the noble Lord—he was sure he would do it with great reluctance — but if he should find it necessary, as a matter of duty, to come down to that House and demand the powers which were now asked by his right hon. Friend; and if he were to show as good reasons for it, he would support the noble Lord as he supported the present measure, which was only an imitation of Bills passed by former Governments, and which ought not to be rejected, therefore, on this occasion by the House. But the noble Lord had brought forward another charge, and one of a more serious nature, against Her Majesty's Ministers, and which, they would give him leave to say, involved a considerable fallacy. He argued from England to Ireland—an old method of argument; and perhaps some hon. Members might not think him very complimentary to Ireland if he were to say that it was a fallacy. But when the noble Lord argued from the events of 1842 in Lancashire to the case of Ireland, he thought that was a fallacy. He trusted the Irish Members would not think he meant anything injurious to that country in saying so, but he must contend that the circumstances were totally different. As the noble Lord the Member for Lincolnshire said, how would you in England like such a restrictive Bill? He said—whether as an Englishman or an Irishman, a Japanese or a New Zealander—he would dislike it exceedingly. But before he would argue thus, he must suppose that there were circumstances in Lincolnshire which he hoped never would exist there. But the noble Lord the Member for London had not only argued from Lancashire to Leitrim; he had argued from Leitrim to Roscommon; and in doing so, said he was in favour of that military policy which had been so much disapproved of by the hon. Member for Lambeth. He said to the Government, by your own confession you have covered Leitrim with soldiers, and by so doing you have put down, at least you have diminished, the amount of outrage in that country. Now, in the first place, the noble Lord, before he brought forward that argument, should have considered what they were doing in pursuing this system over an area of such an extent, and with such a population as the other four counties. The population of the whole five counties is more than one-sixth of the whole population of Ireland, while Leitrim is less than one-ninth of the population of the five counties. Therefore, he thought it was a fallacy unworthy the attention of the House, to suppose that they could in these five districts, large mountain districts, do what they had been able to do in the flat and comparatively open district of Leitrim. He had received information how the effectual acting of the soldiery had been accomplished. An armament had been sent to that part of the country, commanded by one of the very best officers. Some two-thirds of the force was in a district surrounded by the river Shannon. They could not have been equally efficient in other parts. The probability would have been, that in other parts the forces would have been diverted, and that at least 10,000 men would have been required to do what a much smaller body had performed. There therefore could be no tenable comparison drawn between the state of, and the manner of dealing with, these several counties in Ireland, and the disturbed districts alluded to in England. Equally unfounded was the statement that the means now proposed to be applied

by the Government were inapplicable. To the noble Lord opposite he would say this, that, supposing the evils found at the present period in Ireland continued, even with the spirit and good will of the noble Lord and his party to remove them, he would tell that noble Lord that they were not connected either with politics or religion, but with social evils not easily removed. It was in no way uncomplimentary to the noble Lord (Lord J. Russell), and to those with whom the noble Lord acted, to say that even if, in the event of a change of Government, they were to occupy their former position, they might find it a matter of no little difficulty, despite their abilities and good intentions, to eradicate these social and deep-rooted evils. These evils, it had been truly stated, were connected neither with the political nor religious condition of the people. They seemed to be part and parcel of the existing social system; and it was, therefore, of slight consequence, in this instance, whether the Government appeared, through its measures, popular or unpopular. They could never avoid the necessity of having recourse to such a Bill as that which had been brought before the House, and having recourse to such a power as that Bill gave. He would now allude to a matter which perhaps took somewhat of a personal character. He had listened to the speeches of some hon. Gentlemen, in the course of this debate, with considerable concern; but the recent portions of it had been conducted in so temperate a tone that he would consider himself unjustified in introducing, at that moment, anything like acrimony into the discussion. He certainly did regret, as, no doubt, did many others, that in commenting upon this Bill expressions had been used somewhat passing the ordinary usages of debate; and his regret was founded in a belief that the opinions held in opposition to his own, could not, by possibility, be enforced by a recourse to such tactics as those which seemed to have been adopted. He must be permitted to mention his extreme and unaffected sorrow, that, in this age, any difference in political sentiments should have had a tendency to interrupt the dignity of discussion or the warmth of personal regard. Individual sacrifices were, assuredly, to be made for public considerations; but he could not for his own part see that in such a sacrifice there was involved any necessity of departing from customary courtesy. The views of the noble Lord (Lord G. Bentinck), who had not been enabled to speak a second time, had been ably and energetically enforced by the hon. Gentleman the Member for Shrewsbury (Mr. Disraeli); and although neither the noble Lord nor the hon. Gentleman were now in the House, he (Lord F. Egerton) was about to say nothing which he would not have desired to say in their presence. The hon. Member for Shrewsbury had defended one of the expressions used by the noble Lord on the score of precedent; but they were not in a Court of Chancery, where the argument of precedent was valuable; and even that precedent which had been brought forward would in itself hardly justify the violence and intemperance of the language defended. Mr. Fox applied the expression of "paid Janisaries" to the Lords of the Bedchamber—to rivals who were in every respect open to the charge of baseness. Precedents might be found for any nonsense or any violence, but the precedent would not alter the case. The political provocation might be great; but it was a question whether it justified the retaliation. The citation made from the speeches of Mr. Fox reminded him of a citation once similarly made from a speech of Mr. Pitt, during a debate in that House on the silk trade; on which occasion Mr. Canning observed, that the hon. Gentleman who quoted Mr. Pitt resembled those blind nations of antiquity who paid neither reverence nor homage to the sun when pursuing his path of beneficence and glory, and in the zenith of his splendour, but waited with their homage till his career was run, or his obscuration complete in an eclipse: then they knelt down, and displayed symbols of fear and worship. The hon. Member (Mr. Disraeli) had not culled the choicest flowers from the eloquence of Mr. Fox—that able, but not very temperate statesman. He was once reported to have said, speaking of Lord North, that he would not trust himself in the same room with him; and yet they afterwards got on very well together side by side in the same Cabinet. And, in the same way, fierce as were now the denunciations, the same might happen in this case, and things might right themselves in the same way. He thought it would not be very good policy in high authorities to encourage the use of such language. With respect to the term "Janisaries," it was a word appplicable to subordinate servants of the Crown, who were paid for their services. Persons supported Governments with profit certainly, but

with honesty, and purity of intention, though their sentiments might change. It was not known how soon the noble Lord might rally his Friends round the camp kettle of a Whig Administration; and it was best not now to abuse a class of men with whom the noble Lord might soon be united. Whoever stood in such a position would not rightly be regarded as "Janisaries," nor would the head of any Government, like the Sultan Mahmoud, attempt to get rid of them. But other words had been used, and perhaps applied to himself. He did not mean to say that he felt any imputation on his character by what had been said. No man could, perhaps, assume a position that was unimpeachable; and, in a certain sense, he thought the word "renegade," though he had uttered his opinion, did not apply to him. But he was not aware what meaning the noble Lord had attributed to the term. He hoped, however, the noble Lord would recollect that individuals might be led to a right, though different, conclusion, rapidly and steadily. If he had earned the name of "renegade" at all, he had done so in consequence of a speech made by him at the last election, in which he had said he could no longer support the old provisions with respect to the importation of grain. He did not, however, pledge himself to do this or that, either to the noble Lord or any other man. He had purchased no votes by what he had said; indeed, on the contrary, he believed he had lost votes by the course he had taken. He had thought at the time the corn question was a "thorny" question, and he had purposely said but little on the subject. He was of opinion that before the noble Lord used expressions of this character, he should recollect that Gentlemen were returned to that House surrounded by various circumstances. It might be well in periods of tranquillity to avoid any particular statement; but allusions to the course of events could not be avoided in times of excitement, when surrounded by a struggling and expanding population, and the question happened to be, how that population should be provided with food. A man with these considerations pressing heavily upon him, might arrive at a different conclusion than the noble Lord under the position in which he found himself placed for judgment. Now, in what he had offered to the House on this matter, he did not wish to exempt himself from the onus felt by other Gentlemen with whom he acted. He was not aware that at that late hour of the night he should trouble the House further upon any subject, but he could not avoid alluding to the topic on which he had troubled the House. Before he sat down, he would just say, in reference to the measure on which they were called to give judgment, that it was not intended, or brought forward, as a cure for the evils of Ireland, but as a means of relieving a district from a temporary state of things with which it was afflicted. The circumstances of the country had been fully and ably examined, without favour or affection; and he, for one, as an English Member of that House, should vote against the Amendment, and so forward the Bill into Committee.

Debate again adjourned.

House adjourned.

HOUSE OF LORDS,

Friday, June 19, 1846.

MINUTES.] PUBLIC BILLS.—1° Judgment Creditors. *Reported.* Corn Importation.

3° and passed. Real Property Conveyance; Insolvent Debtors Act Amendment; Commons Inclosure Act Amendment.

PETITIONS PRESENTED. From the Bath Church of England Lay Association, for the Encouragement of Schools in connexion with the Church Education Society.—By the Bishop of Exeter, from Norfolk, and a great number of other places, against the proposed Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—By the Duke of Richmond, from Whitchurch, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—From Parochial Authorities of Saint Bride, Fleet Street, praying that a Bill may be passed to restrain all unnecessary Sunday Trading.—By Lord Campbell, from Penicuick, and other places, for compensating Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).—From Liverpool, and Kirby Kendal, for Repeal of the Maynooth College (Ireland) Act.—By the Bishop of Norwich, from Heytesbury, and several other places, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on, the Sabbath.—By the Earl of Radnor, from the Overseers of the Parish of Saint Andrew, Holborn, for the Establishment of Public Baths and Washhouses.

THE EPISCOPAL BENCH.

EARL FITZWILLIAM presented a petition from an individual clergyman, vicar of a place in Oxfordshire, expressing disproval of the union of the sees of St. Asaph and Bangor; praying for a new division of ecclesiastical provinces and dioceses; proposing to relieve the bishops from their present onerous duties of attendance in Parliament, and to confine them to their more appropriate functions; also to diminish their incomes, now inconveniently large for the pastors of the Church, so that the whole expense of the episcopate might be reduced from 163,000*l.* to 80,000*l.* The noble Earl observed,

that he wished to see the number of bishops largely increased, and on that ground he had always objected to the union of the sees of St. Asaph and Bangor. The necessary consequence of a large increase in their number would be, that they could not all sit in that House. He was favourable to a diminution of the incomes of individual bishops, though not to a decrease of the entire charge of the episcopate. He recommended the petition as well worthy the consideration of the House, and more particularly of the right reverend Bench. He was persuaded that the time would come when it would be necessary, not perhaps to carry out all the details of the plan proposed by the petitioner, but to increase the Episcopal staff.

The BISHOP of EXETER had heard with great satisfaction almost everything that had fallen from the noble Earl. He thought it was the duty of the Legislature to take care that that most crying want—the paucity of bishops in this country—be very soon supplied. The question whether any additional bishops should sit in that House, was, in his opinion, a matter, he would not say of indifference, but at all events, it was a matter of minor importance compared with the question of an increase of the present number. In a country like England, in which the Church was recognised as an essential part of the Constitution, it was absolutely necessary that there should be an Episcopate adequate to the discharge of its high and sacred duties, and commensurate with the demands on its superintendence. He, however, did not wish to see any increase in the general episcopal income, which productive as it ought to be, and, he thought, would be in lay hands, was in itself quite sufficient to maintain a much larger number of bishops than the present number. With respect to the new bishops sitting in the House of Lords, he had very little inclination of opinion to the one side or the other. That appeared to him to be a secondary consideration; but he believed that it would be a great misfortune to the State, as well as to the Church, if the bishops, the representatives of our National Church, were excluded from Parliament. He should merely add, that he hoped the noble Earl would introduce some measure for the purpose of increasing the number of bishops.

LORD BROUGHAM thought that the present was a very great constitutional question, which ought to receive the most careful deliberation. The increase of the population did no doubt render necessary a corresponding increase in the number of bishops, and he certainly did not think that the members of that body were overpaid.

EARL FITZWILLIAM was of opinion that the number of bishops should be increased to forty; but that the existing ecclesiastical revenues were quite sufficient to provide suitable salaries for them all.

The EARL of ELLENBOROUGH said, it was to the last degree inconvenient and inexpedient to discuss one of the greatest constitutional and religious questions which could be brought before their Lordships on such an occasion as the present. If the noble Earl thought it would be advantageous to introduce any alteration into the existing Establishment, it would be far better for him to bring the subject before their Lordships in the shape of some definite proposition, upon which he would have an opportunity of ascertaining the opinion of the House.

EARL FITZWILLIAM thought such incidental discussions very useful, as they accustomed the House to meet those questions.

Petition to lie on the Table.

THE CANADIAN DESPATCHES.

LORD LYTTELTON said, he had not been in the House the other evening when the noble Duke on the cross-benches (the Duke of Richmond) had adverted to the recent despatch of Lord Cathcart, and to the answer to that despatch from the right hon. Gentleman the Secretary for the Colonies, both of which documents had been laid on the Table of the House; but, according to the report of what had passed on that occasion, the noble Duke said that if he were Lord Cathcart, he should have been very indignant if the first notice he had of that answer was seeing it in the columns of a newspaper. He Lord Lyttelton) did not know if the noble Duke meant to imply by that expression, that his right hon. Friend the Secretary for the Colonies had had anything to do with the insertion of that document in the newspapers; but whether or not, his right hon. Friend wished him to deny in the most explicit manner that he knew anything whatever of the matter. Indeed, the Papers had been laid on the Table on the 4th instant, and appeared in the *Times* on the 9th, so that there had been time enough to procure them in the interval. He denied in the strongest possible manner, on behalf of his

right hon. Friend, that he had anything to do with their insertion in the newspaper.

The DUKE of RICHMOND really did not see how the case was altered by what they had heard. All that he had stated had been that he should have felt very indignant, were he Lord Cathcart, had he seen the despatch from the right hon. Gentleman the Secretary for the Colonies, in answer to his own, in the columns of a newspaper before he had received the original. That such had been actually the case was more than probable; and he meant to say that this despatch would not have been laid on the Table if the Secretary for the Colonies had been in the House of Commons. He believed it to be quite unusual to lay the copy of a despatch on the Table under the circumstances, and had it happened in his case he should have been very indignant.

LORD LYTTELTON admitted that the case of laying the despatch on the Table in the present instance had been perfectly unusual; but then the very day before which it had been so laid before the House, the noble Lord moved for a copy of Lord Cathcart's despatch, and the Government did not wish to give it to him without producing the answer at the same time.

CORN IMPORTATION BILL.

House in Committee.

The DUKE of RICHMOND rose, in pursuance of the notice he had given, to move the addition of a clause to this Bill. Their Lordships were well aware of the respectability of the great body of the tenant-farmers of this country, and therefore he was satisfied that they would not be surprised at his rising to endeavour, to the utmost of his power, to prevent that body of men from being consigned to entire ruin. Their Lordships well knew that the tenant-farmers of the country felt most strongly that the measures now about, he feared, to pass that House, would very much diminish the price of their produce, and therefore they were naturally anxious that they should be enabled to get rid of those engagements which they had entered into solely upon the faith of Acts of Parliament, and the numerous pledges which were from time to time so solemnly given, that protection was to continue to be the policy of the Government. Without any fault of their own the case had been altered. He said, without any fault of their own: for he must remind the House that in 1841 the tenant-farmers of the country returned their representatives to Parliament for the great object of maintaining protection to themselves as growers of corn, and to the other branches of domestic industry. They could not blame the farmers because some of these representatives had either been seduced or converted to hold other views than those for which they had been elected: in which class these men were to be put, they would have an opportunity of judging when the time arrived for giving them the reward which they were to receive for their change of opinions; but in the mean time it was a great hardship to the tenant-farmer, who had expended a large amount of capital in the improvement of the farm he had taken for 19 or 30 years on the faith of protection, and that his rent was to be paid with the price of wheat at from 50*s.* to 56*s.* a quarter—it was a great hardship to make that tenant adhere to his lease when wheat came down to 40*s.* a quarter. If he knew anything of the character of the high-minded, unsuspicious, and independent yeomanry and tenantry of this country, if he knew anything of their character, he was assured that they would scorn to ask a favour from Sir Robert Peel, who they felt had cruelly deceived them, and shown himself hostile to that interest which, up to the present time, was admitted by all to be the foundation on which was based the prosperity of all classes. He therefore asked not their Lordships to insert the clause he was about to propose as a favour, but he respectfully demanded it as an act of justice to the tenantry of the country. It might be said that in making this Motion, he was expressing an opinion unfavourable to the landowners of the country. It was far from his intention to do so, because he believed that there were many—indeed, a considerable portion—of the landowners, who would not keep their tenants to the engagements they had entered into on the faith of protection, but would meet the exigencies of the case, and do their duty to the farmers. But they did not legislate for the liberal-minded landlord; they legislated there for those cold-blooded, heartless men, who told them they would screw out of the pockets of the farmers every shilling they could get from them; they were there to legislate also on behalf of the tenantry against trustees. A great part of the land occupied by the tenantry was held under trust; and, though he conceived that a trustee was bound to act as

if the property were his own, yet there were many who felt themselves bound not to reduce rents so long as the farmer had capital to pay. Then there was land held under colleges and corporations, and they very well knew that when the responsibility was divided among many they were much less likely to be liberal than when the property belonged to themselves. He could not see the slightest reason that could be adduced against the proposal, because the Government said, and their new allies seemed to agree with them, that the present measure would not have the effect of reducing the price of corn. If it had not the effect of reducing the price of corn, then the tenant would not desire to give up his occupation; but if it eventually led to a great reduction in the price of food, surely they could not think it right to compel men to pay rent at the rate of 54*s.* a quarter of wheat, when they could in the market receive only 40*s.* If the wording of the clause he was about to propose did not meet their Lordships' approbation, there were other means of carrying out the principle which he advocated. They might give every tenant in the country the opportunity of converting the money rent he now paid into a corn rent; but what he contended for was, that they must not leave him to the tender mercies of the free traders. His opinion was, that from what he had seen in that House, there was but little doubt that the Anti-Corn-Law League would be triumphant; and if they were triumphant, he thought it was well to secure to the utmost of their power the interests of the tenantry. His proposal was that the tenant should have the power, within six months after the passing of the Act, to give his landlord six months' notice of his intention to quit; and he proposed that, by arbitration—and if parties did not agree as to the appointment of the arbiters, he would leave the selection of the Commissioners for the Enclosure of Commons—he proposed that those arbiters should value the unexhausted improvements; because nothing could be more unfair than that the tenant should not get back a fair proportion of the outlay he had made for the benefit of his farm, and from which outlay he had not sufficient time to gain any profit. He was not asking their Lordships to do anything he was not prepared to do himself, even if they threw out the clause he had now to propose, for, in 1842 he felt it to be his duty towards his tenants to allow all of those who had leases to give up their farms, because they had engaged to take those farms prior to the passing of the Corn Law of that year. This was only an act of justice, and he could not understand the slightest reason which could be adduced against it, unless, indeed, it might be said it would lose this Bill. He knew not whether, by the forms of Parliament, inserting such clauses as these would lose the Bill; but he was quite satisfied that there was nothing in themselves that ought to have that result. He had taken up so much of their Lordships' time in the discussions on this question, that he did not feel himself authorized to detain them on the present occasion, and also because it appeared to him the clause was self-evident, right, proper, and just, and therefore he would conclude by moving that the clause of which he had given notice be added to the Bill. The noble Duke then read the clause, as follows:—

"And be it enacted, That it shall and may be lawful for any Person or Persons in the actual Possession or Occupation of, or holding any Lands either in his, her, or their own Right, or in the Right of any Person or Persons under any of the Disabilities hereinafter mentioned; (that is to say), Infancy, Coverture, Idiotcy, Lunacy, Unsoundness of Mind, or Absence beyond the Seas, under a Lease, or an Agreement for a Lease for a Term of Years unexpired, or for the Lives or Life of any Persons or Person named in the Lease, or for a Term of Years determinable upon a Life or Lives, at any Time or Times within the Space of Twelve Calendar Months from and after the passing of this Act, to give Six Calendar Months Notice in Writing of his, her, or their Desire and Intention to quit or deliver up Possession of the Lands comprised in the same Lease or Agreement for a Lease before the Expiration of his, her, or their Term or Interest therein, such Notice to terminate at that Period of the Year at which the Tenancy commenced; and on the Expiration of such Notice, the Term or Interest for which such lands shall be held under a Lease or Agreement for a Lease, shall absolutely cease and determine in like Manner, as if such Terms or Interest had expired by Effluxion of Time; and all the Covenants, Conditions, and Agreements of such Lease or Agreement for a Lease, so far only as the same may have a prospective Operation or Effect, shall be void and of no effect; and thereupon also such Person or Persons shall be entitled to the same Allowance or Remuneration, if any, by an incoming Tenant, or by the Lessor of the said Lands, as he, she, or they would have been entitled to in case of such Lease or Agreement for a Lease had been determined by Effluxion of Time, the Amount of such Allowance or Remuneration, in case the Parties differ about the same, to be settled by the Arbitration of Two Persons, One to be named by each of the Parties in difference, and of such Third Person as the Two to be so chosen shall, by a Memorandum under their Hands before they proceed on the Arbitration, nominate and appoint, or any Two of

them: Provided, that in case either Party shall within the Space of Fourteen Days next after the Expiration of such Notice as aforesaid, neglect or refuse to nominate or appoint One of such Two Referees, or in case such Referees if appointed, or either of them, shall within the Space of Fourteen Days next after their Appointment, neglect or refuse to nominate or appoint such Third Person or Umpire, then the Amount of such Allowance or Remuneration shall be settled by the Arbitration of the Commissioners acting in the execution of the Act then in force for the Inclosure of Commons and Lands in England and Wales: And be it enacted, That in the Construction of this Section the word "Lands" shall extend to Lands, Tenements, and Hereditaments, and any undivided Share thereof which shall be in the Possession of, or held by any Person or Persons as aforesaid, under a Farming or Husbandry Lease, or any Agreement for any such Lease."

The EARL of RIPON would not on this occasion enter upon the general question, but confine himself to the subject introduced by the noble Duke. He entirely agreed with his noble Friend as to the character and spirit of the class of men whose claims he professed to advocate; and he would not oppose the clause which he had now moved, did he not think that it would be productive of evil rather than of benefit to them; it would produce the utmost possible confusion from one end of the kingdom to the other. If carried into a law, there would be no end to the litigation which would inevitably follow in every part of the country. The principle of the clause was liable to great objections. Parliament was now asked to give to one party to a contract the power of compelling the other party to rescind it, not because the latter had been guilty of a violation of it, but because it might suit the interests of the former. That was a serious principle, and it was proposed to be introduced, not by a general enactment, but by a single clause in a Bill to which it did not apply. To him (the Earl of Ripon) it did not appear necessary, for he was not impressed with the noble Duke's terrors as to the impending ruin of agriculture; but the noble Duke himself could scarcely feel very strongly the necessity of the clause, after his own statement of what he should be prepared to do if the Bill should pass. There was not a more generous landlord in the country than the noble Duke; and experience of the conduct of the landlords proved that they would follow in the same steps; it was no mere compliment to them to say it. Great litigation would result from such an enactment; some tenants might endeavour improperly to take advantage of it; it would really produce the greatest imaginable evil to both parties. With a view to the interests of the landlords, but still more of the tenants, he felt bound to oppose it.

The EARL of MALMESBURY could not deny the possibility of some inconvenience resulting from the proposed clause, but that would only be one of the many evil consequences attributable to this Bill. A great deal had been said of this being a landlord's question, and of the landlords coming forward to bear the brunt of the danger; but, when he heard of a noble Friend intending to raise his rents 10 per cent; when noble Lords opposed to the measure were called "sturdy beggars;" when he heard what he had, in various quarters, he must suppose that there were landlords who were not ready to relieve their tenants from the consequences of this measure. It was very well for the noble Earl (the Earl of Ripon) to say, "Trust to the generosity of the landlords;" it would have been more to the purpose if he had answered the question as to the probable fall of price the other day. Night after night the House was told that prices would not fall, but that farming produce would rise: what protection had the tenant, then, from the fancies and whims of his landlord? This law would put the tenants in the power of the landlords. Even in the present year they were being made to sow under one law and reap under another, though they had the assurance of Cabinet Ministers that there should be no such change—from the Secretary at War, for instance, only a few months since. Highly as he (the Earl of Malmesbury) thought of the generosity and goodness of English landlords, he was not ready to leave the tenantry entirely at their mercy; he preferred facing all the difficulties and confusion that might take place in consequence of this clause.

The EARL of MORNINGTON had some documents with him, which he had a little hesitation in producing, because they had so much relation to himself; but during the progress of this question in Parliament he had turned his mind to the probable consequences of the measure, and had obtained some information not unworthy attention. For thirty years he had lived among tenant-farmers, but on returning from the Continent he found the most marvellous change in their social habits and character; he found that, as a noble and learned Friend of his had said, "the schoolmaster was abroad," and that whilst they had not lost any portion of their af-

fection for the higher classes of society, they were a much more intelligent class of men than formerly, that their sons received a better education, and that they themselves looked much more forward than they used to do. Under these circumstances he thought it would be better for him to "take time by the forelock" as to his own estate. For thirty-three years of his life he never granted a lease. In the course of a very short period he gave notice to 110 tenants, but he took care that notice should not be given to any tenant whose rent was not upwards of 100*l.* a-year. The greater portion of the estate he was speaking of was his own; the rest belonged to one of his family; and he saw those tenants himself; he never employed an agent except a bailiff. The farms were rented low; the rents had not been altered for something like twenty years. Now, he was about to state to the House what those farms had been let at before March, 1845, and what they were let at in March, 1845, for the future. The account was supplied by his bailiff; and his (the Earl of Mornington's) object was to show that it was a mistake to suppose that this measure would cause a great fall of rent, and that there would be no tenants to take farms; he believed that not one old tenant need be removed, and that there would be men with capital ready to take farms where the old tenants left, as was the case in some of the instances he was going to mention. He had not taken the best land nor the worst in those instances, but every description of land, some of it not far from a principal market. The first he would mention was in the district of Clare, in Suffolk, two miles from a principal market, and sixteen miles from a seaport —the Tilbury Lodge Farm, farmed on the four-year course of husbandry, containing 372 acres. The rent to Michaelmas was 13*s.* 7½*d.* per acre. The present rent, let for seven years from Michaelmas, 1845, is 23*s.* per acre. Security given for the rent, and let to a highly respectable man. [A noble LORD: That is a smart rent.] The noble Lord himself probably liked a good rent; if the noble Lord found the banker in the next town security for the man's rent, he would probably think he was not doing the tenant injustice. He had the particulars of a number of other and similar cases; but he would pass on to a very large farm, as well known in Essex and Middlesex as any in the world:—"In the district of Rochford hundred, in Essex, the Rochford-hall Farm, of about 550 acres, let to Michaelmas, 1845, at 32*s.* 2*d.* per acre; relet from Michaelmas, 1845, for seven years, at 50*s.* per acre. Farmed on the 6-year course of husbandry, and titheable. Produce to London market by sea and river. Let to Mr. J. Jaber, a deputy-lieutenant of the county, and farming upwards of 3,000 acres of land." After he (the Earl of Mornington) had let that farm at the rent just stated, about 1,400*l.* a year, another person, equally respectable, came and offered 1,800 a year, which of course could not then be taken. Again, he (the Earl of Mornington) also remodelled an estate of his in Hampshire, and the House should hear the facts: "In the county of Southampton, five miles from Basingstoke, three from Odiham, and fourteen from Reading, about twenty farms, containing about 3,000 acres, on an average, from Michaelmas, 1845, from 18*s.* to 30*s.* per acre, relet within a week from the proposed measure of Sir R. Peel in February last for three years at an increased rent of 24 per cent." He had spoken to the farmers on that estate about this measure himself, and they told him they did not care about it. Supposing, then, that he had had no opinion on this question, and had come perfectly new to the consideration of it (which he could not say he did), but with a desire, justifiable enough, to support the landed interest and his own interest, so far as was fairly consistent with the promotion of the public welfare; here was a proof of a feeling among tenant-farmers very different from what some noble Lords imagined. He knew of his own knowledge that the farmers were not in the state of alarm that had been represented; he had seen above 200 of them within the last twelve months. A few hours ago he saw the tenant of one of his farms, a most respectable person, and as clever as any man living; he asked that tenant-farmer what he thought of this Bill, and his answer was—"When I go to Mark-lane, as I do every Monday morning, and see the prices of corn, and converse with the merchants and men who have no interest on one side or the other, but who look to trade, and when I am told that there is not the quantity of corn on the other side of the water that is supposed, and that they are beginning to quake for their markets, I begin to think that Sir R. Peel is right after all; but still I am sorry the measure is brought in by Sir R. Peel." There was that feeling among

them certainly with regard to this distinguished Minister. But surely if he felt it necessary, not for the sake of his party, but for the good of a third party—the country—to alter his policy, he was in very good company, for Mr. Pitt did the same; and some noble Lords could even recollect the debates when Mr. Pitt was charged just in the same way with breaking his faith. Noble Lords seemed to make the gravest assumption that this measure would be extremely injurious to the tenant-farmers; but where was the proof of it? As for petitions against the measure, he (the Earl of Mornington) knew of some, for instance one from Rayleigh), with which the population of that place had about as much to do as the people of China. If he, or if Lord Petre, were to put an advertisement in the paper, or go among the people and tell them some dreadful event was going to happen, there would be a number of signatures to any petition about averting it very easily obtained. In all the speeches he had heard against the Bill, there was continually the same note struck. There was continually the same exclamation, that this was a breach of faith on the part of Sir R. Peel, and that the tenants would be ruined; but he had not heard one argument in support of such an assertion. The price of corn, which was rising at this moment in Mark-lane, was a proof to the contrary. He had conversed with many auctioneers and persons who dealt in land, and they had assured him that there was no difficulty in selling land. There could not be a shadow of doubt that the price of land was rising under the new order of things. He had some years ago anticipated the course which the Government was now pursuing, and he believed that this great system of policy would be successful in its results, and would have the effect of laying the foundation of reciprocity on the part of foreign countries. The noble Earl then proceeded to argue that the present policy of the Government had nothing novel in its nature, but was only a recurrence to the policy which had been pursued on former occasions. He believed that they never would arrive at a sound system of commercial intercourse with other States, until foreign countries were prepared to adopt of their own accord a policy analogous to that which this country was now pursuing. Hitherto foreign countries had acted on a policy of prohibition; but a change in public opinion abroad on this subject had now taken place, as might be gathered from the tone of the newspapers, which reflected the public mind on the Continent. The noble Earl concluded by expressing his satisfaction at feeling that the present policy of the Government, which had, as appeared from the instances he had given, proved beneficial to himself, would not be injurious to the interests of the tenant-farmers and the country.

The EARL of ABINGDON said, that it was his intention to support the Clause moved by the noble Duke (the Duke of Richmond). He believed that unless the agricultural interest of this country had effectual protection by law, they would, in a short period, become nothing more than paupers. He recollected a conversation which had taken place between Bonaparte and John Bull, and which he might quote as applicable to present circumstances:—

"Says Boney to Johnny, 'I'm coming to Dover;'
Says Johnny to Boney, 'I won't let you come;'
Says Boney to Johnny, 'I will, though, come over;'
Says Johnny to Boney, 'You'll then be overcome.'"

Now, what the English farmer said was this, that the Prime Minister had come over. He believed that the position of Prime Minister was no sinecure; but there were thousands and thousands of clear-headed men in this country who were perfectly astonished that the Minister should have forsaken that line of policy which they considered natural for him to have pursued; viz., to uphold "the land we live in," and on which every individual depended for his daily bread. If they were to depend on foreign land, instead of their own, for the staff of life, no man could calculate how soon a great portion of the population of this country might be brought to a state of starvation, for want of work and want of money. He might be a protectionist—a great protectionist—he believed he was an exorbitant protectionist, for at the last agricultural meeting which he had attended he stood stoutly up for protection, and even the very women who were looking in at the windows to see of what sort of materials the farmers were made, participated in the feeling. The farmers of this country had strong constitutions and strong feelings; they felt loyalty and attachment to their Sovereign, and they had an earnest wish to take that course which they thought best for the interests of their country. They were not legislators, but humble petitioners to the

Parliament, and they trusted to the wisdom of Parliament not to pass any measure which would bring the foreigner into competition with the highly-taxed Englishman in the home market. The petitions which had been laid on their Lordships' Table ought to lead to a fair consideration of one of the most important measures ever brought forward. The measure was important, in reference to the ingenious manner in which it had been brought to their Lordships' House ; and it was also a matter of importance for their Lordships to know how to deal with it, and to find out the best way of getting rid of it ; for if it passed into law, they would all, and more especially the right rev. Prelates, be like rams caught in a thicket. He was certain that, if it were not for the protection and encouragement of agriculture, there would be no Woolsack to sit upon. He had all his life been a supporter of regular Government upon constitutional principles ; but these were days when those principles were to be knocked on the head. Under the system of protection this country had struggled through the greatest difficulties and dangers, and had attained higher prosperity than any other upon the face of the earth. No one could regret more than he did that a Government which appeared to be founded upon protectionist principles should all at once be shivered to pieces by a single man, who, it might have been supposed, would have been wedded to the highest interests of his country. In early life he (Lord Abingdon) had served his country, not under a modern bishop, but under a respected and gallant dean. When apprehension was entertained of an invasion of this country by the French, the Dean of St. Asaph raised a corps at his own expense, in which he (Lord Abingdon) served as a private, and was afterwards appointed drummer to the band. His next promotion was to the office of Speaker of their Lordships' House, and he had no difficulty in performing the duties of that office. He sat upon the Woolsack and listened attentively to the arguments of noble Lords, and those arguments which were sound were easy of digestion. He had intended to show their Lordships how closely agriculture was mixed up with military matters ; but he feared he was trespassing upon their attention, and he would only say, that he hoped they would concur in this Amendment, which was calculated to prevent the most serious injury to the best interests of this country.

Earl STANHOPE said, the noble Earl (the Earl of Mornington), in referring to the policy of an illustrious relative of his, and an immortal statesman (Mr. Pitt), had mistaken and misrepresented the policy of that illustrious individual. He (Earl Stanhope) had recently perused the speech delivered by Mr. Pitt, when he recommended to the House of Commons the commercial treaty with France. The noble Earl seemed to imagine that this measure was founded on the principle of free trade. Now, with reference to the article of corn, Mr. Pitt had always proved himself a zealous protectionist ; for in 1791 he proposed a Corn Bill fixing a higher rate of duty than was now maintained, and he persevered in that policy. The measure of Mr. Pitt was founded on principles of reciprocity ; but he would ask whether that was the case with the measures of the present Prime Minister? Why, in 1842, when our protective duties were relaxed, no less than six foreign countries came down upon us with hostile tariffs. With respect to the present Bill, the tenants, unsolicited by the landlords, had got up a spontaneous movement against the measures proposed by Sir R. Peel. It had been said that the agriculturists had no cause for alarm ; but he would ask whether, when the protecting duty upon wheat was suddenly reduced from 16*s.*, or 14*s.* a quarter, to 4*s.*—as would be the case under this Bill—their alarm was not natural and justifiable. His conviction was, that this measure would be deeply injurious to the farmers, and to all connected with agriculture. He confessed he had heard with some pain from his noble Friend the President of the Board of Control, the observation that the Amendment proposed by the noble Duke on the cross benches (the Duke of Richmond), who would always deserve the gratitude of the country for the part he had taken on this great question, was objectionable. Now he (Earl Stanhope) considered that if any proposition could be unobjectionable, it was the Amendment of the noble Duke, which was founded upon the principles of eternal and immutable justice. When, by a legislative measure, they changed entirely the relations between the landlord and tenant, in such a manner as to inflict ruin and injury upon one party, while the other obtained an advantage to which he had no title, it was obviously the duty of Parliament to interfere, and to prevent such injustice and oppression. It was to be apprehended that injustice and oppres-

sion would be the result of this measure, in consequence of the chimerical notions entertained by some parties as to its operation. The idea was entertained in some quarters that this measure would have the effect of raising prices and augmenting rents; and a landlord who held this opinion might suppose that his tenant's objection to be bound by a lease executed under widely different circumstances might arise from ignorance or error, and he might insist upon the observance of the lease, thereby reducing the tenant to ruin and beggary. The object of the Amendment was to prevent such oppression and injustice, and to assert the sacred and eternal principles of even-handed justice; and he called upon their Lordships to give it their assent. He would deny that the introduction of this clause would be attended with any confusion whatever, any more than in the case of an ordinary tenancy at will. He entreated their Lordships not to pass this Bill—which might truly be called a Bill of pains and penalties, an edict of confiscation — without making provision for some compensation to those who would be injured by it. Let the bane and the antidote at least go together, although no antidote could be sufficient to meet all the evils of the measure. He looked upon the vote which their Lordships had come to in favour of this Bill, as the death-warrant of that House, as the entire and final extinction of their legislative functions, and of their very existence as an independent branch of the Legislature. Their Lordships had shown no disposition to retract that vote, and it therefore behoved their Lordships to pause, to hesitate, and to meditate well on the consequences of rejecting the Amendment of his noble Friend, lest the cup of bitterness should be filled to the brink, and and at last overflow.

The Earl of MORNINGTON explained. He repeated his assertion that Mr. Pitt was a free trader. The Continent of Europe would not reciprocate our overtures of free trade, unless this country proved its sincerity by passing the present measures of the Government. If it were denied that Mr. Pitt himself expressed free-trade opinions, the proverb *noscitur a sociis*, applied to Mr. Huskisson, Lord Grenville, and others of his intimate acquaintances, would give them reason to believe that Mr. Pitt also held those opinions, and that he held them in very good society. He might mention the name of his late most illustrious relative, the Marquess of Wellesley, as having lent its sanction to liberal commercial principles. In a recent publication of his he had urged those principles, and the noble Marquess, in a letter which he would not trouble the House by reading, said he approved of them; he congratulated himself on having given his proxy to his brother (the Duke of Wellington); he said, he agreed with Sir R. Peel and with the Duke of Wellington in the policy they had advocated. The noble Marquess, in that letter, extolled Sir R. Peel as the man of the day, as a man who was born to conduct the affairs of the country, and expressed his conviction that there must be a change in our commercial system. He (the Earl of Mornington) believed that he was supporting Mr. Pitt's policy in voting for the present Bill. He believed he had also supported that policy when he advocated the Reform Bill and Catholic Emancipation. That policy must not be judged by what Mr. Pitt had done during a state of war, but by what he said he would do if he could have maintained peace.

Earl STANHOPE explained. He knew that the Marquess of Wellesley had been the coustant companion, the friend, and the colleague of Mr. Pitt; but he could not forget that the noble Marquess had in the latter part of his career adopted a course of policy which Mr. Pitt would have reprobated.

Lord ASHBURTON was not going to follow the noble Earl (the Earl of Mornington) into the discussion which had occupied the House for the last two hours. He wished merely to bring the House back to the question really before them, namely, the Motion of his noble Friend on the cross benches, to allow tenants to vacate their leases, and receive compensation for unexhausted improvements. He confessed that, if the question were pressed to a division, which he hoped it would not because it would spare him from an unpleasant dilemma, he should be inclined to vote against it. He admitted that great injustice would fall upon the tenant if some arrangement of the kind proposed was not come to; but at the same time he feared that its tendency would be to open a door to so many discussions and disputes of a disagreeable kind, as to its mode of execution, that he was not prepared to give it his support. What he would recommend to the noble Duke (the Duke of Richmond) was, to withdraw his Amendment in the meantime, and wait to see the result of the

measure of Government, and if the consequences should prove so disastrous as was anticipated, some arrangement of this kind might be proposed next year. He would not say that much suffering would not take place in the meantime; but it was still in their power to come to the relief of the occupying tenant, when they had ascertained the probable extent of his injury. He perfectly agreed with those who thought that three-fourths or nine-tenths of the landlords would do what was right and fair in the circumstances. In fact, they had no interest to do otherwise, because it was no benefit to a landlord to have tenants on his estate who were ruining both themselves and his land; but at the same time he thought that, in the uncertainty of the case, and without an exact measure of their suffering, it would be better to wait till next year to see what the consequences were, when they might then call upon Parliament to interfere and make some arrangement of this kind. Before sitting down, he begged to intimate to the House that he wished to postpone, until the third reading of the Bill, the Resolution of which he had given notice to move on the subject, respecting the necessity of some better provision against the calamity which would be occasioned by the sudden importation of the large quantity of wheat now in bond. In the meantime, he entreated both sides of the House to take the matter into earnest consideration, particularly the supporters of the Bill, who should take care not to bring discredit upon its immediate operations.

The DUKE of RICHMOND replied: He was willing to concede that the noble Lord (the Earl of Mornington), might know much more about France than he (the Duke of Richmond) did, but he denied that he knew so much of the opinions of the farmers of Essex. He had seen them frequently, he had met 500 of them not above a fortnight ago, and he knew their opinions of the measure before the House, and he again complained that noble Lords got up in that House, and declared that the farmers were in favour of free trade, when they were nothing of the kind. He would rather take from the farmers themselves what were their opinions, than take from any noble Lord what the farmers felt on the subject. The noble Earl, in order to show the feelings of the farmers on this measure, had quoted a number of farms which had been let; but, it would be observed, that all of them but one had been let at Michaelmas, 1845, before any one had dreamt for a single moment that Sir R. Peel had the slightest intention of changing his opinions, or that, if he did, the House of Lords would sanction such a change. The farmers were an open-hearted, unsuspicious race of men, and they never expected that the House of Lords would turn round like a weathercock and change their opinions at the beck of any Minister, be he who he might. He thought that Sir Robert Peel could never be justified, in the eyes of any body of men, for the conduct he had pursued. Free traders might like the Premier's free-trade measures; but he begged the House to mark his words, they would never be found following Sir R. Peel or placing confidence in him. They might in the meantime back him up, because, if permitted to stay in office, he would be the means of carrying all their measures, for they knew very well that if they could only bring the pressure from without into operation, Sir R. Peel would not have the nerve to withstand it. They might on that ground be induced to like him, but he defied them to respect him. He was sorry to say that he could not withdraw his Amendment, because he conceived it to be an act of justice, and an act of justice alone. He should not, however, trouble the House, by dividing, because he did not see what advantage there would be in being beaten by a majority of 33 or 34, or perhaps 40 of their Lordships, and as he did not see any possibility of carrying his clause, he was anxious not further to discredit their Lordships in the eyes of the country.

The EARL of MORNINGTON explained, that so far from the leases referred to having been executed before the announcement of the free-trade measures, most of them had been executed only the day before yesterday.

On Question, to insert the said Clause, resolved in the negative.

Bill reported.

House adjourned.

HOUSE OF COMMONS,

Friday, June 19, 1846.

MINUTES.] PUBLIC BILLS.—1° Clerks of Crown, &c. (Ireland).

Reported. County Works Presentments (Ireland) Amendment.

PETITIONS PRESENTED. By Viscount Morpeth, from Inhabitants of the Borough of Doncaster, for the Enfranchisement of their Borough.—By Sir de Lacy Evans, from Presbyterians of Westminster; by Mr. Hastie, from Paisley; by Lord Edwin Hill, from Members of the Pres-

byterian College of Anahilt; and by Mr. Ross, from Magherally and Kilmore, complaining of the refusal of the Proprietors of Land to grant Sites for the Erection of Churches for the Free Church in Scotland.—By Viscount Morpeth, from Inhabitants of the Parish of St. Clement Danes, and by Mr. Ord, from Inhabitants of the Town and County of Newcastle upon Tyne, for the Better Observance of the Lord's Day.—By Lord John Manners, and Viscount Morpeth, from a number of places, in favour of the Roman Catholic Relief Bill.—By Sir Thomas Acland, from Clergy of the Deaneries of Barnstaple and Sherwell, and by Mr. Finch, from Clergymen residing in the County of Rutland, against the Union of the Sees of Saint Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Viscount Morpeth, from Thomas Clarkson, for Alteration of the Duty on Sugar.—By Mr. Sharman Crawford, from Inhabitants of the Borough of Rochdale, against the Embarkation of Troops for the Colonies.—By Viscount Morpeth, from Clergy and Gentry of Dewsbury, Batley, and the Neighbourhood, and by Mr. Newdegate, from Subscribers of the Art Union of London, in favour of Art Unions Bill.—By Mr. Lyall, from Members of the London Dock Company, for promoting Establishment of Baths and Washhouses.—By Mr. Vesey, from Magistrates, Clergy, Freeholders, Landholders, and others, in the Barony of Sliemarrigue, in the Queen's County, for Alteration of County Works Presentment (Ireland) Act.—By Sir Thomas Esmonde, from Operative Slaters of the City of Dublin, against the Abolition of the Guilds of Dublin.—By Mr. Hume, from Members of the Metropolitan Working Classes Association for the Improvement of the Public Health, for the Adoption of Measures for promoting the Health of Towns.—By Mr. Allix, from Guardians of the Poor of the Chesterton Union, against the Highways Bill.—By Mr. John Henry Vivian, from Guardians of the Poor of the Swansea and Mansfield Poor Law Unions, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Captain Layard, from Out-Pensioners of Chelsea Hospital, residing in Deal and its Vicinity, complaining of Deductions from their Pensions.—By Mr. Gisborne, from James Wilson and others, for the creation of a Fund for the Superannuation Fund for Poor Law Officers.—By Mr. Octavius Duncombe, and Viscount Morpeth, from several places, for Alteration of the Poor Removal Bill.—By Mr. Sharman Crawford, Mr. Ross, and Mr. Trelawny, from various places, for the Total Abolition of the Punishment of Death.—By Mr. Thomas Duncombe, from Shareholders in the Dublin and Armagh Inland Railway Company, for Alteration of the Railway Companies Dissolution Bill.—By Mr. Hume, from Gloucester, complaining of the Break of Gauge on Railways.—By Viscount Bernard, from Inhabitants of the Town of Innoshannon, for Repeal or Alteration of the Salmon Fisheries (Ireland) Acts.—By Mr. Thomas Duncombe, from Landowners of Glasgow and Vicinity, for Alteration of Law respecting Service of Heirs (Scotland).—By Lord John Manners, from the Vicar of Yardley, complaining of Alienation of Tithes.

HAYDOCK LODGE ASYLUM—POOR LAW COMMISSION.

MR. W. O. STANLEY rose for the purpose of asking a question of the right hon. Baronet the Secretary for the Home Department, with respect to an allegation contained in a petition from Dr. Roberts, of Bangor, as to a lunatic asylum, called Haydock Lodge. The allegation of that petition was, that the establishment in question was under the influence or control, and established by, parties connected with the Poor Law Commissioners; and that Mr. Mott, the ex-Poor Law Commissioner, was president of the asylum. The question he wished to ask was, whether any communication had taken place between Mr. Coode, one of the Assistant Secretaries of the Poor Law Commission, and the Commissioners, on the subject; whether Mr. Coode had resigned his situation as Assistant Secretary; and, if so, whether the right hon. Baronet would be ready to produce any minute of the Poor Law Commissioners relative to the subject?

SIR J. GRAHAM said: Sir, when I saw the petition to which the hon. Gentleman refers, I had received no previous communication on the subject of it; but, in consequence of the statements contained in that petition, I wrote an official letter to the Poor Law Commissioners, desiring them to communicate to me officially the inquiries which they had made on the subject. The result is, that I have received an official answer to that letter, which contains a memorandum as to the conduct of Mr. Coode, and information that Mr. Coode is no longer an Assistant Secretary to the Commission. I shall have no difficulty whatever in laying on the Table of the House copies of my letter to the Poor Law Commissioners and their answer. I have not yet received a full answer on the subject from the Lunacy Commissioners. I expect one in the course of a few days; and as soon as I receive it, I shall be ready to lay before Parliament the whole of the correspondence. Sir, I will now trouble the House with an explanation which is personal to myself, with reference to Mr. Mott, formerly an Assistant Poor Law Commissioner, who has been mentioned by the hon. Gentleman. *The Times* newspaper contained two days ago an allegation as to myself, unintentionally erroneous I am certain, but still grossly erroneous. The statement was this:—

"Mr. Mott became, we believe, the editor of an unsuccessful journal in Sir James Graham's neighbourhood, and under his especial patronage."

Now, I have to state to the House that Mr. Mott is personally altogether unknown to me, and that he has ceased to be an Assistant Poor Law Commissioner for nearly four years; and the only origin of this error that occurs to me as possible, consists in the fact which I will now state to the House. Mr. Mott, in the year, I think, 1843—on the 11th of March, 1843—became editor of a work called the *Poor Law Guide*, which, so far from being conducted in my neighbourhood, was edited in London, and I think printed by Bradbury and Evans, and published by Mr. Onwhyn.

On the 1st of October, 1842, there was another publication issued, called the *Union Gazette*, edited by a gentleman named Marryatt. That paper, published weekly, contained information on the subject of paupers in different parts of the kingdom who had deserted their families; and the board of guardians of Longtown, of which I am chairman, applied, in the year 1842, to the Poor Law Commissioners to know if they might have permission to take in this work, as being convenient in their proceedings. The Poor Law Commissioners answered that application by stating, that if the information contained in that publication was considered useful by the board of guardians in question, they were at liberty to take in that publication, and to charge it on the rates. I have the honour of being chairman of that board of guardians, but I was not cognizant of this particular transaction. Now, Mr. Mott, in the first number of his publication, in March, 1843, having a knowledge, from some source or another with which I am not acquainted, of this answer to the Longtown board of guardians, published the letter, but omitted to state all the circumstances and the names, and left the inference to be drawn that the board of guardians were authorized to take in the publication in which it appeared. Nothing could be more irregular than this transaction on the part of Mr. Mott. I repeat, that he has ceased for four years to be an Assistant Poor Law Commissioner; and, except on the supposition that *The Times* was led into error by the circumstances I have mentioned, I cannot understand on what ground such a statement can have found its way into that journal. But it is due to myself to state that Mr. Mott was never at any time editor of a newspaper under my especial patronage.

Mr. W. O. STANLEY said, from the way in which the right hon. Baronet had referred to *The Times*, it might appear to the House that he (Mr. Stanley) had been in some way connected with what had appeared in that paper. He begged to state that he had never known anything about the article in *The Times*, and had nothing to do with it.

Mr. T. DUNCOMBE said, the most material part of the question of the hon. Member had not been answered, which was, whether any parties connected with the Poor Law Commission had had any speculation with Mr. Mott in connexion with this lunatic asylum. It could not require any time, on the part of the authorities of Somerset-house, to give an answer to that question.

Sir J. GRAHAM had already stated that he had addressed a letter to the Poor Law Commissioners. On the day but one following he received an answer, informing him that Mr. Coode no longer held office under them. [Mr. T. Duncombe: Why?] I think Mr. Coode was connected with the establishment of Haydock-lodge in a manner not inconsistent with the due performance of the duties of his office.

Mr. CHRISTIE inquired whether Mr. Mott, who was the master of the asylum, did not hold office under the Poor Law Commissioners, as district auditor; and whether the Poor Law Commissioners, from their connexion with him, had not been cognizant of all the circumstances?

Sir J. GRAHAM: The last part of the question will be easily answered by the letter of the Commissioners, which I am prepared to lay on the Table. In answer to the first part, I beg to state that I understand Mr. Mott is auditor of a certain district, being chosen under the Act of Parliament, of which the hon. Member must be cognizant, whereby the choice of auditors rests with the chairman and deputy-chairman of the board of guardians of a district.

Subject at an end.

SIR R. PEEL'S EXPLANATION.

Sir R. PEEL: Mr. Speaker, in rising, Sir, to move the Order of the Day for resuming the debate on the Bill for the Prevention of Murder in Ireland, I deeply regret that it should be necessary for me to obstruct, even for a short time, the progress of public business by any explanation of a personal nature. I deeply regret that it should be necessary for me to avail myself of the privilege (perhaps a doubtful one, as I have spoken in the course of the debate), of making any observations upon the Motion for reading the Order of the Day; but, Sir, I greatly doubt whether there be any Gentleman, however deeply impressed with the importance of proceeding with the public business, however he may regret the obstruction of that business by personal explanations, however rigid his adherence to the forms of this House—I greatly doubt whether there be any Member who now hears me, in whose estimation I should not suffer were I not to avail myself of the earliest opportunity of noticing that

which took place in this House on Monday last.

I thank the House, at least the great majority of the House, for their ready acquiescence in my appeal to them to suspend their judgment upon the accusations which were directed against me until they had the opportunity of hearing my defence. There was on the part of this House a general and a generous acquiescence in the justice of that appeal. They felt, Sir, that I must labour under no small disadvantage in being called upon to answer accusations which might have been preferred at any time within the last fifteen years, when the means of defence were more within my reach, and the opportunities of elucidating the whole matter were greater than they can be after the lapse of so many years. I little thought that I should have been called upon in the year 1846 to answer accusations connected with the transactions of 1825, 1827, and 1829. There have been great political conflicts and great political excitement since that period. Since the first period—since 1825—there has been the severance from Mr. Canning; the formation of his Government; the formation of the Government of Lord Goderich; the union of the friends of Mr. Canning with the Duke of Wellington and myself in 1828; the separation from us of those friends of Mr. Canning in the same year, on matters totally unconnected with the reputation or character of Mr. Canning. Then followed the fierce conflicts of 1829, when I felt it my duty to propose the adjustment of the Catholic question. In 1830 the Government of the Duke of Wellington—the combination of parties against that Government, and the loss of power by the Duke of Wellington, and those who held office under him; then followed the Government of Lord Grey, and the severe conflicts of Reform; of the dissolution of the Government of Lord Melbourne in 1834; and the formation of that Government over which I presided in 1835, attempting to conduct the affairs of this country by a minority of this House for about three months, when I yielded to the right hon. Gentleman opposite; and the formation of their Government in 1835 ensued. Surely after such a series of party contentions, I was justified in presuming that the events of 1825, 1827, and 1829, so far as they could be the subject of crimination against me, were buried in oblivion; and many years ago every document connected with those events had been sent to a distance from London, in the full confidence that it would not be necessary to resort to them for any purpose of explanation or defence. When the speech to which I have referred was made on Monday night, I had not the means of access to a single paper; occupied as I was by urgent public duties, I was unable to repair to the place of their deposit; the private secretaries by whose aid the correspondence of that period was conducted have passed away; the whole of the correspondence had been sent to my country residence in Staffordshire. It has been examined by those who were no parties to the conduct of it, and who have brought to London a confused and complicated mass of documents, from which I have for the last three days been attempting to collect the materials for my vindication from charges directed against my veracity and honour. Sir, when I heard those charges, I had a perfect conviction that they were unfounded. I listened to them with that calmness which results from the conscious knowledge that they were not founded in truth, but yet with that anxiety which every man must feel who fears that after the lapse of twenty years he may not be enabled to establish that complete and satisfactory defence which he could have made, if, in common fairness and common justice, such accusations had been preferred when the memory of those who heard the debates, and took part in them, was yet recent; when I could have referred to personal friends whether I had used this or that expression; when I could have trusted, not merely to the recollection of friends, but to the honour and generosity of political opponents, for their confirmation of my own impressions as to facts, and the inferences to be drawn from them. Sir, that advantage is denied me; and, debarred of it, I am now to answer these charges. I confine myself to the charges and to the evidence by which they are suported. Nothing else shall I notice. If there be other charges and other evidence, they ought to have been brought forward at the time. It will not be just, on a second occasion, to prefer new charges inculpating my honour, unless the evidence on which those charges rest be at once brought forward in the fullest manner. If there be other evidence, hitherto withheld, of which I am not cognizant, I shall be prepared to meet it; but I ask this House again to be generous and just enough to suspend their judgment on any new allegations, and to give me the opportunity of

repelling any new evidence, if new evidence is to be adduced.

Sir, I will now proceed to the vindication of myself from the charges which the House has heard; and, whatever may be the difficulties I have to contend against, if I do not succeed in establishing to the conviction of every honourable mind, not biassed, not thwarted by party, that those charges are utterly without foundation, I shall retire from this discussion with deep mortification and poignant disappointment. What, Sir, are those charges, and the evidence which has been brought forward in their support? When the hon. Gentleman the Member for Shrewsbury rose to speak on Monday night, the question at issue was this:—On a preceding night, the noble Lord the Member for Lynn—a Member of Parliament in 1826, in 1827, 1828, and 1829, the relative and private secretary of Mr. Canning, and fully cognizant of Mr. Canning's feelings—brought forward, at a late stage of the debate on the Irish Bill, and not upon any question affecting the character of Mr. Canning, this charge against me. The noble Lord said—

"That was the conduct of the right hon. Baronet in 1827; but in 1829 the right hon. Baronet told the House that he had changed his opinions on that subject (the Catholic question) in 1825, and had communicated that change of opinion to the Earl of Liverpool. That, however, did not prevent the right hon. Baronet, in 1827, from getting up in his place, and stating that he had severed himself from Mr. Canning's Government because he could not support a Government of which the Chief Minister was then favourable to the measure, which it appeared afterwards the right hon. Baronet had approved of two years before."

Such was the charge of the noble Lord the Member for Lynn. He asserted that I had declined to act with Mr. Canning as Prime Minister in 1827, upon the ground that I was adverse to the removal of disabilities from the Roman Catholics; that I objected to hold the office of Secretary of State, Mr. Canning being Prime Minister. Said the noble Lord, "in 1829, in bringing forward the Roman Catholic question, you informed the House that in 1825 your opinions on the Roman Catholic question had changed; you intimated that change of opinion to Lord Liverpool, then at the head of the Government, and yet, notwithstanding that admitted change of opinion in 1825, you refused to act with Mr. Canning in 1827." I said at once—not imputing to the noble Lord any wilful mis-statement—that the charge was altogether unfounded. I never did inform the Earl of Liverpool in 1825 that my opinions on the Catholic question were changed; but this I told Lord Liverpool—that I was Secretary of State for the Home Department, responsible for the government of Ireland, with the charge of almost every domestic question in the House of Commons; that in 1825, on three great questions vitally concerning Ireland—the removal of Roman Catholic disabilities, the curtailment of the elective franchise, and the payment of the Roman Catholic clergy—I was in a minority; that all my Colleagues in the Cabinet, having seats in the House of Commons, were opposed to me on these questions; and that in regard to those qustions they were acting in concert with my political opponents. I said to Lord Liverpool, in 1825, "This is not seemly; this is not right; I seek to be removed from my position, and no longer to remain responsible for the conduct of affairs in Ireland." And there the matter rested, until the speech of the Member for Shrewsbury, on Monday last, implied that my defence was wholly without foundation, that I was not justified in giving that denial to the noble Lord. He insinuated that there was some letter of mine to Lord Liverpool in existence which proved that I had intimated to Lord Liverpool that there had been not only a wish to relinquish office, but that there was a change of opinion, on my part, on the Roman Catholic question. He cited as a proof of that an article in the *Edinburgh Review*, in which it was stated that I had the copy of that letter in my desk. To this I replied, that those who made such an assertion ought to be enabled to prove it; that I challenged the production of any such letter; and I promised that, if the copy of it existed, and was in my possession, it should be produced by me. It is most material, before I proceed, that we should correctly understand what are the charges preferred against me, and on what grounds they are supported. I have no right or wish to plead any statute of limitations. I know that a public man is required to confute charges of this nature, whatever be the lapse of time since the transactions took place. I desire no evasion. I say not now a word about the motives of my accusers. I seek to gain no prepossession in my favour from questioning those motives. I desire to meet the charges themselves; and for that purpose, as a preliminary, distinctly to state the purport and effect of them. They amount, first, to an assertion or insinuation that some letter was written by me to Lord

Liverpool, in the year 1825, intimating a change of opinion on the Catholic question; secondly, that whether or no that change of opinion had taken place, or whether or no it had been communicated to Lord Liverpool, still that I had in my place in Parliament in 1829 distinctly avowed that there had been this change of opinion. That was the second charge; and it certainly is possible, though it is not easy to divine a reason for it, that, although no change of opinion had taken place, and no communication had been made to Lord Liverpool, I may still have informed the House in 1829 that I had changed my opinion in 1825, and intimated that change to Lord Liverpool. The evidence in support of the charge was this: There was a report in the *Mirror of Parliament* of a speech made by me in 1829, in which it was stated that I had informed Lord Liverpool in 1825 that "the time was come when something respecting the Catholics ought to be done." Now, that is the whole foundation of the charge. These are the expressions upon which the hon. Gentleman founds the charge that I had informed Lord Liverpool that a change in my opinion on the Catholic question had taken place. The hon. Gentleman proceeded to say — for I wish to state most fully the whole of the evidence against me—whether it be actual or plausible — the hon. Gentleman said, "The *Mirror of Parliament* employed an independent class of reporters, men of high eminence, men of peculiar attainments in the art of shorthand writing; the *Mirror of Parliament* was published once in three days, and therefore there was a strong presumption that its reports were accurate; and, if there is any doubt of the fact, there is strong corroboration of the accuracy of the report in the *Mirror of Parliament* to be found in *The Times* newspaper, which contains a report having in it the same words which occur in the *Mirror of Parliament.* Consequently there is a confirmation, from a separate and independent authority, of the correctness of the report of the *Mirror of Parliament.*" There was also other evidence corroborative of the accuracy of that report in the fact that Sir Edward Knatchbull, speaking about a fortnight afterwards, on the 15th of March, 1829, referred to the report in the *Mirror of Parliament*, and assumed the correctness of it. These are, I think, the grounds on which the charges to which I have referred rested. There is also another charge, that I had been guilty of a *suppressio veri* — and that, for unworthy purposes, I had mutilated and garbled the report of the speech which I made in 1829 in bringing forward the Catholic question, omitting the passage inserted in the report of the *Mirror of Parliament.* There may have been other less important charges; but these are the three charges immediately insisted upon. I think I have correctly stated the gravamen of the charges, and the nature of the evidence by which it is sought to sustain them.

Sir, I shall first address myself to this question—did I intimate to Lord Liverpool in the year 1825, or at any other period, that my opinion upon the Catholic question had undergone a change, and that I was prepared to support the removal of Catholic disabilities? First, I will refer to the course which I took in Parliament in the year 1825; and I ask whether that course was consistent with such an intimation as that I am asserted to have conveyed to the head of the Government? The House will probably recollect that Sir F. Burdett brought forward the Catholic question in 1825. He began, as usual, by moving for a Committee to consider the Roman Catholic claims. During the progress of that discussion two other measures were proposed, intended to facilitate the success of the main measure, and called on that account "the wings," the one for a reduction of the number of freeholders in Ireland entitled to vote in counties, the other for granting stipends to the Roman Catholic clergy. It was on the 28th of February, 1825, that Sir F. Burdett brought forward the Catholic question. I took a part in the debate on the Motion for the House resolving itself into Committee, and I then stated, in concluding my speech—

> "Without dwelling on the objections as to the time at which this Motion was proposed, or its present expediency, he openly announced his objection to its principle. He should, therefore, pursue the course which hitherto he had uniformly persisted in, and give his decided opposition to the measure."

At the conclusion of the debate, Sir F. Burdett said, in reply—

> "He thanked the right hon. Gentleman (meaning me) for the candid manner in which he had declared that his objection went to the principle, and not to the details of the question of Catholic emancipation."

There was a considerable majority in favour of the Motion so made by Sir F. Burdett: the numbers voting for it, 247;

against, 234: the question, therefore, was carried by a majority of 13. The second reading of that Bill came on on the 21st of April, 1825, when I find it reported—

"Mr. Secretary Peel said, he had heard, and with the most perfect conviction of his sincerity, the avowal of the hon. Member for Armagh, that he had changed his opinions upon it. If he (Mr. Peel) had changed his own opinion, he should have been most ready to avow it; but, as he had not changed it, he trusted that his hon. Friends would give him the same credit for purity of motive in retaining it, that he gave to the hon. Member for Armagh in abandoning it."

The second reading of that Bill was carried by 268 to 241—a majority of 27. The third reading came on on the 10th of May, 1825. I again spoke; for, as I complained at the time, the weight of debate fell chiefly on myself and two or three others. I had said on a previous occasion, that I was not prepared to support the total removal of disabilities—that I thought the chief offices in the Executive Government ought to be reserved to those who dissented from the Roman Catholic religion—that from the Legislature Roman Catholics ought to continue excluded—that I retained those opinions, and was not prepared to assent to the admission of Roman Catholics to seats in the Legislature or to the chief offices in the Executive Government. What I had previously stated was, that—

"If the Legislature and the chief executive offices of the State were reserved, and all others opened to the Roman Catholics, I did not consider there would be just ground of complaint."

And I said, on the 10th of May, 1825—

"Believing as I did that those exceptions and this exclusion ought still to be continued, and the conviction of my mind remaining unaltered by any of the arguments I had heard, I felt it to be my duty to that conviction, and to the Crown, of which I was a Minister, to persevere in the course I had adopted."

After such declarations publicly made in Parliament, is it probable that I could have gone to the Earl of Liverpool, and informed him that my opinion on the Roman Catholic question had undergone a change, and that I was prepared to acquiesce in the concession of the Roman Catholic claims? It was after the 10th of May—after the third reading of the Bill—after I had been in a minority on every division, and also in a minority on the two other Bills which were called "the wings" of that measure; it was subsequently to the 10th of May that I intimated to Lord Liverpool, that, with these majorities against me, and with a divided Cabinet, I had an objection to remain in office; that my position in the Government, charged as I was with the administration of Executive affairs in Ireland, and defeated on Bills vitally concerning Ireland, had become untenable; and I asked to be relieved. It was between the 10th of May and the 20th of May that my communications on that subject with Lord Liverpool took place; that I intimated my desire to be relieved from office; that I subsequently intimated my reluctant consent to retain it. This important fact had occurred in the interval: the Relief Bill had been sent up to the House of Lords; Lord Liverpool had made a more decided speech against the Catholic claims than on any previous occasion; and the Bill had been rejected in the House of Lords, on the 17th of May, by a majority of forty-eight. It thus appeared that the majority of the House of Lords were in favour of the views I took on the Catholic question. It was represented to me in the strongest terms that my retirement from office would lead to a dissolution of the Government; that Lord Liverpool would retire in the event of my resignation; and consequently that the whole responsibility of breaking up the Government would rest with me. At a subsequent period, on the 26th of May, there was a debate on the state of Ireland. The present Lord Monteagle (then Mr. Spring Rice) brought the question before the House. On that occasion, after my interviews with Lord Liverpool, I took part in the discussion; and this was the language I held on the 26th of May, in reference to a speech made by Mr. Brownlow in the course of the debate:—

"His hon. Friend now seemed to expect an apology from him for continuing of the same opinion. His hon. Friend thought it necessary to call upon him to explain why he too was not converted by the evidence of Dr. Doyle, telling him that the cause was hollow, that the ground was utterly untenable. Now, he admitted that if his hon. Friend felt the ground untenable, that was a sufficient reason for his abandoning it. He admired his hon. Friend's sincerity; and, if he himself had felt the same motives, he would have followed the example of his hon. Friend, and defied all attacks for so doing. But he would beg to be allowed still to occupy ground which he did not feel untenable. He would beg to be allowed, with those who thought with him, to continue of the same mind, seeing that the same light had not broken in upon them which had broken in upon his hon. Friend."

Such was the language held by me on the 26th of May, 1825, in the presence of Mr. Canning, who, I firmly believe, was entirely cognizant of what had pre-

viously taken place between Lord Liverpool and myself. Is it probable, I again ask, that I should have held that language in the presence of Mr. Canning, and in the face of Parliament, if I had told Lord Liverpool that my opinion on the Catholic question was changed? I imposed no restrictions of secrecy as to my communications with Lord Liverpool. Mr. Canning was as much in Lord Liverpool's confidence as I was—probably still more; and I have not a doubt that Mr. Canning was perfectly aware of what had passed, namely, that I had expressed an earnest wish to be relieved from the responsibility of office under the circumstances in which I found myself placed.

In the early part of 1827, before Lord Liverpool's illness, when I had not the slightest anticipation of so early a termination of his public career, the Roman Catholic question again became the subject of discussion; and on the 6th of March, 1827—(it was not till a later period that Lord Liverpool became incapable of transacting public business)—I said—

"He (Sir R. Peel) should still retain his opinions as to what was the system which the country and the Legislature ought to enforce. He thought it ought to retain all the existing disabilities, as far as related to admitting Roman Catholics to the Legislature and to offices of State.

"If his opinions were unpopular"—observe, the death of the Duke of York had then taken place—"he had now the opportunity of showing that he stood by them still, when the influence and authority that might have given them currency were gone, and when it was impossible that he could be suspected of adhering to them with any view to favour or personal aggrandizement."

I most fully expected in 1827 that I should be again in a minority; and, I was prepared to take the same course as in 1825, namely, adhering to my own opinions, immediately to relinquish office. But, to the surprise of all parties, in 1827 there was a majority of four against the Roman Catholic claims. The course I had thus taken in 1827, had not had the slightest reference to the appointment of Mr. Canning as Prime Minister. On the retirement of Lord Liverpool, when Mr. Canning succeeded to the office of Prime Minister, I at once intimated to him that I could not retain office in consequence of the diversity which existed in our opinions on the Roman Catholic question.

Such was the public and Parliamentary declaration of opinion at that time. It is not of course conclusive evidence as to the purport of the confidential communications that may have taken place with Lord Liverpool. If I could find that I had intimated an opinion in writing to Lord Liverpool, I should produce the document at once; but I have a firm impression that my communication was a personal one. During the discussions on the third reading of the Roman Catholic Bill, I saw Lord Liverpool almost every day, and was not in the habit of making formal written communications to him. My impression, as I stated on Monday night, is, that there was no written communication between us. I have not the slightest doubt that such is the fact; for I find that in 1827, when speaking in Parliament on this subject, and when the memory would have a hold of the particular circumstances infinitely more strong than it can be expected to have now, after the lapse of so many years—I find that I stated, not that I had written to Lord Liverpool, but that I had waited upon him:—

"After I had been left in minorities on three different questions immediately connected with Ireland—the Catholic Question, the Elective Franchise, and the Payment of the Catholic Clergy—I waited on my noble Friend then at the head of the Government. I told him that I anxiously desired to be relieved from my situation. The reply of my noble Friend was, that my retirement would determine his own."

And, again, that was what I said in 1827, in the presence of Mr. Canning.

But it may be justly observed, "There may have been no written communication—it may have been verbal—have you the whole correspondence with Lord Liverpool at that time?" I desired the correspondence for seven years under the letter "L" to be brought to London, and, on searching it, I find that my written communications with Lord Liverpool at the period in question were extremely few. This, no doubt, was owing to my habits of constant personal intercourse with Lord Liverpool during the sitting of Parliament. There is, however, no letter which has the remotest bearing upon the subject; there is no letter which can throw the slightest light upon it, which I am not ready to produce. Here are letters written to me by Lord Liverpool in 1825; some may think they are material; others may think they are not. I hold in my hands the originals. I have looked into the letters of other years; but I do not find that they have any bearing on the point in question. I do, upon my honour, declare that there is no letter passing between Lord Liverpool and myself upon this matter which I am not most willing to produce. I am willing to communicate the

whole *in extenso* to any Gentleman who has the least desire to consider their bearing. I have only three letters, written in 1825; and the House will judge, whether from the tenor of these letters, they give the slightest colour to the charge that I had intimated to Lord Liverpool a change of opinion on the Catholic question. In March, 1825, I had been in a minority on the Motion of Sir F. Burdett. There were rumours that Lord Liverpool had himself changed his opinions on the Roman Catholic question. It was most material for me to ascertain whether such were the case or not; because if Lord Liverpool's opinions were changed, and I was in a minority in the House of Commons, there were additional reasons for my retirement from office. I received from Lord Liverpool, on the 10th of March, 1825, this letter:—

"(Private.)

"Fife-house, March 10, 1825.

"My dear Peel—I return the report of the Irish Association. I have thought it quite necessary, in consequence of the paragraph in the *Morning Chronicle* of this day, to send an article to the *Courier*, contradicting the reports in circulation respecting any change in my sentiments upon the Roman Catholic question.—Ever sincerely yours, "LIVERPOOL."

Is it very likely that that letter should have been addressed to me by Lord Liverpool, if I had then intimated to him a change of opinion on my part on the subject of the Catholics? It was subsequent to that communication that I expressed my earnest desire to be relieved from the responsibilities of office. I have been repeatedly charged with avidity and appetite for place. I know not why such an imputation should be thrown out against me. Having acted several years as Irish Secretary, I voluntarily retired from that office in the year 1818. I declined to become a Member of the Cabinet in 1821; and when I did resume office in 1822 it was with no very gratifying prospects, in consequence of the position in which the Government was placed in reference to the Roman Catholic question. On the 17th of March, 1825, the division in the House of Lords took place, and I then intimated my willingness to remain in office rather than bear the responsibility of breaking up the Government. I find the following note from Lord Liverpool, written after the division in the Lords:—

"(Private.)

"Fife-house, May 19, 1825.

"My dear Peel—I have seen Canning, and should be glad if you could call upon me to-night between nine and ten o'clock, for five minutes.—Ever yours, "LIVERPOOL.

"Do not trouble yourself to send an answer."

My impression is, that at that interview I repeated to Lord Liverpool my earnest desire to retire, but that I consented to remain in office. I cannot prove certainly at this distance of time that that interview had reference to the Catholic question: I believe it had. I find a letter which was written to me upon an important subject by Lord Liverpool, bearing date the 15th September. Lord Liverpool was at Walmer Castle at the time, and it was necessary, therefore, that he should communicate with me in writing. He writes:—

"Walmer Castle, September 15, 1825.

"(Most confidential.)

"My dear Peel—I return in another cover, Goulburn's letters. You may wish to hear from me what I think about dissolution. In the first place, it must be decided one way or the other on the 22nd, the day of our meeting. I have had some correspondence with Canning upon the subject: the inclination of his opinion is to put off the dissolution till next year. I am decidedly for the dissolution now, if the Catholic question is to receive the support of those who are generally friendly to it in the Government in the next Session. But if they are willing that the Catholic and corn questions shall remain in abeyance during the next year, and are prepared, therefore, as to the former, to discourage its being brought on, and, if brought on, to move a previous question or adjournment upon it, in that case I have no desire to press the dissolution during the present autumn. I say to press the dissolution, because I think the reasons for and against it are nearly balanced; and I can readily acquiesce in the decision, whatever it may be. I hear Lord Wellesley is for the dissolution now, and —— and the whole —— connexion, for very opposite reasons, decidedly against it.—Ever sincerely yours,

"LIVERPOOL."

There are mentioned in this letter two names which, with permission of the House, I omit. They are the names of persons not holding office. This letter was written in the autumn of 1825. Is it possible that this letter could have been written to me if I had previously intimated to Lord Liverpool that I had changed my opinions as to the Catholic claims? It is a communication, "most confidential," on the probable bearing of a dissolution on the Catholic question; and it is surely in the conviction that my opinion is in concurrence with his own that Lord Liverpool thus confidently writes to me. Those are the three letters which in 1825 I received from Lord Liverpool. They may not be in themselves very important, but they

surely are not letters that would have been written by Lord Liverpool to me if I had intimated to him a change in my opinions on the Catholic question. These are the whole of the letters in my possession which appear to me to have any bearing upon the communication alleged to have taken place with Lord Liverpool. In speaking, in the year 1829, I stated that I held in my hand a document which would prove that my retirement from office would lead to the dissolution of the Government. I do not very well recollect what that document was. The object was to prove that my resignation would have led to the resignation of Lord Liverpool. I have the strongest impression that it referred to conversations between me and other Members of the Cabinet opposed to the Catholic claims, in consequence of an intimation from Lord Liverpool that he had made up his mind to retire in the event of my resignation. I have searched for the statement, but I have been unable to find it.

I have been hitherto addressing myself to the preliminary question, what was the communication between Lord Liverpool and myself? I now come to the second question, which is a different one. Though I made no such communication as that supposed to Lord Liverpool, did I in 1829 declare that I had made it? The whole foundation for the charge is this—that I said, in 1829, that I had communicated in 1825 to Lord Liverpool my opinion that something as to the Catholics must be done. I am not going to put any strained interpretation upon those words. I positively deny that I used them. I deny that I stated in 1829 that I had informed Lord Liverpool in 1825 that the time had come when something must be done for the Catholics. This second charge against me is to this effect, that in 1829 I made that statement, and afterwards garbled the speech in which the statement is alleged to have been made. Says the hon. Gentleman the Member for Shrewsbury—

"I am making no charge against the right hon. Gentleman; but I say that his is a mutilated, a garbled, or, to use the softer language of this House, a mutilated report."

[An hon. Member: Corrected.] Well, "corrected." The variation in the reports as to that expression only shows that too much confidence cannot be placed in them; and yet twenty years after the events have taken place I am to be condemned on account of discrepancies in newspaper reports! But hear my answer to the charge of Monday night. The hon. Gentleman began by stating that he adverted to this subject with the deepest pain. He said—

"There were two reports, one in *Hansard*, in which members corrected their own speeches, and another in the *Mirror of Parliament*, in which were taken down by the most skilful shorthand writers, most of them men of education and intelligence, reports of everything that occurred in Parliament, which were published every three days."

And the hon. Gentleman came down on Monday night, I having no conception whatever of what was about to occur, and, professing that he approached the subject with great pain, stated also that he had been making careful inquiry, and had found that there was an independent body of reporters reporting for the *Mirror of Parliament*, not connected with the public press. The hon. Gentleman has a connexion with the press that enables him to speak with some authority on these points. I heard his statement, and it struck me, as it struck others, that evidence of concurrence between two independent and separate authorities was strong, if they had made the same report. The hon. Gentleman went on to say—

"I have made every inquiry, and I have been informed that the report in the *Mirror of Parliament* was made by Mr. Barrow, one of the most finished shorthand writers, and a man of education and intelligence."

Well, Mr. Barrow is dead, and reference to him is impossible; but I have made inquiry from others, and I give the most peremptory contradiction to the statement that the report in the *Mirror of Parliament* was written by Mr. Barrow. I deny that Mr. Barrow was the reporter at all. Mr. Barrow was the editor of the publication, and was not then, though he might have been a reporter, in the habit of reporting for the *Mirror of Parliament*. The hon. Gentleman, for the purpose of adding weight to his charge, having told the House that the report of the *Mirror* was a separate and independent report made by men of high character and attainments, went on to say—

"I had the discretion to refer to the report of the speech given in one of the most eminent public papers of the day, and I find, in *The Times* of March 6, 1829, the report is"—so and so.

All this apparent caution invests the hon. Gentleman's statement with additional authority; it shows he has not been hasty and indiscreet; that he does not prefer a charge against me on an individual report without

having carefully compared and collated it with other reports; and he asks credit for discretion in not making the charge upon a single one. Finding that the report in *The Times* confirms the report in the *Mirror of Parliament*, he concludes that two concurrent reports from two independent authorities render it unnecessary to call for further evidence. Now, I put this question to the hon. Gentleman—As you have had the discretion to refer to the report in *The Times*, and have informed the House that it is concurrent with that in the *Mirror of Parliament*, have you had the discretion to examine other reports also? There were other morning papers at that time, for which there were separate and independent reports, and as you took the precaution of referring to one, and, finding an apparent concurrence, have informed the House of that fact, and have concluded that there was no necessity for further evidence; allow me to ask if the same sense of justice has induced you to examine the other reports? Did you look at the reports in the *Morning Chronicle*, the *Morning Herald*, the *Morning Post*, and the *Morning Journal*, a paper which was set up to destroy the hopes of the success of Catholic emancipation? There were four other papers; as you hunted up the report in *The Times*, I ask the question, did you examine the others? If you did not, how came you to limit your caution and discretion to the production of the only report that seemed to give a confirmation to your charge? If you did examine the others, why did you not, in common honesty, admit the discrepancy they exhibit? Why did you not, in justice to me, state that which is the fact, namely, that each report of the four other newspapers, all made by separate and independent reporters, altogether exclude the words on which this imputation is founded? Observe, the words are these—"The time has come when something with respect to the Catholic claims ought to be done," introduced into the passage in which I said I wished to relinquish office. This appears in the *Mirror of Parliament*, and those identical words are in *The Times*, and yet it is stated that these are two independent reports. I will now read the reports of the other papers: this is the report of the *Morning Herald* :—

"But, so far as his personal conduct was contrasted with that of 1825, he begged to be allowed to state, that in that year he was a Minister of the Home Department, and, being then in a minority on the Roman Catholic question, he felt that his situation was untenable. He did not at that time seek to be relieved from the duties which had devolved upon him; but he stated to Lord Liverpool his opinion that the time was come when he ought to be relieved from the duties and responsibility of Irish affairs, being, as he then was, in a minority on the question that had the most important relations to them. It was at that time notified to him that his retirement from office would involve that of Lord Liverpool and others, and that a probable consequence of that retirement would be a dissolution of Parliament."

See what reports are! The speech reported took four hours in the delivery; I speak it to the honour of the gentlemen who furnish these reports, that I believe they are influenced by an earnest desire to be correct and just to all parties; but how can they avoid mistakes of this kind? Here is a most material one: the report speaks of "a dissolution of Parliament," when it is obvious I must have said a dissolution of the Government. That is the report of the *Morning Herald*. I will now take that of the *Morning Chronicle* :—

"As far, Sir, as my own personal experience goes, allow me to say that in 1825, when I, being the Secretary of the Home Department, was expected to state my opinion on the Catholic question, I felt my situation as a Minister to be one of considerable difficulty, charged as I was with the superintendence of Irish affairs, and yet in a minority in the House of Commons on a question of so much importance as that we are now considering. With this feeling, I sought to be relieved from the duties of a responsible adviser of the Crown. I applied to Lord Liverpool, who was then at the head of Her Majesty's Government, stated the painful situation in which I found myself, and earnestly pressed to be relieved from it. It was, however, signified to me that my retirement from office would determine the retirement of Lord Liverpool, and that that would dissolve the existing Government."

Now for the *Morning Post*, which took a part decidedly against me:—

"But, as far as he himself was personally concerned, he must state that in the year 1825, when he, as the Minister for the Home Department, found himself in a minority, he felt at least the difficulty of his position, charged as he was with the administration of the affairs of Ireland. He did at that time seek to be relieved from the responsibility of office. He did then state to Lord Liverpool that the time had arrived when he found himself so situated as to require to be relieved from the duties of the station he had filled. He had before had occasion to state that fact, and also to add that Lord Liverpool had said, in reply to his application, that if he (Mr. Peel) retired, the Administration must be broken up, for that he (Lord Liverpool) would send in his resignation also. He held in his hand the proof of these facts."

Is not this a marvellous concurrence? But I come now to a still more hostile paper, the *Morning Journal*, established for the express purpose of defeating the measure of 1829; the *Morning Journal* says—

"So far as my personal conduct is concerned, I can state that, in 1825, when I was Minister for the Home Department, I was in a minority upon the Catholic question in this House; I felt this at least to be the case, that my situation as Minister was untenable. In the office which I held I was charged with the administration of the affairs of Ireland; and, finding himself in a minority on that question, which, in reference to the state of that country, was the most important that could engage my attention, I at that time sought to be relieved from the responsibilities connected with my situation. I at that time told my noble Friend (Lord Liverpool), who was then at the head of the Government, that one thing at least must be done, namely, that I should be relieved from the responsibility of office. It was upon that occasion notified to me that my retirement from office would lead to the retirement of my noble Friend; that this would break up the whole Administration. I should have wished to have been spared the necessity of making any reference to this correspondence. However, I am ready to submit it to the perusal of any person who chooses to inspect it."

Here is an exact concurrence in the purport of the speech in all four papers, and they all omit the passage about the time "having come when something with respect to the Catholic question must be done." The House never heard till I stated it, that though the report in *The Times* did appear to lend a sanction to that in the *Mirror of Parliament*, there were four other papers, with separate and independent reports, all agreeing, with marvellous accuracy, in the general purport of what I said, and all omitting the passage in question. Still when one paper giving an independent report agrees with the report of another paper as to a particular passage of a speech, the absence of that passage in four other reports, however strong a circumstance it may be, does not altogether destroy the effect of such concurrence. There is something remarkable in the concurrence, particularly when Mr. Barrow, this able and intelligent man, an independent reporter for the *Mirror of Parliament*, which had a separate class of reporters, came to the same conclusion as the reporter of *The Times*. But I deny the fact that Mr. Barrow wrote that report; I deny the fact also, that there was a separate class of reporters for the *Mirror of Parliament*. I have inquired into this subject as well as the hon. Gentleman; and I state this fact, which I can positively demonstrate, that Mr. Barrow did not report any speech for the *Mirror of Parliament;* and I state also this other fact, that the *Mirror of Parliament* had not a separate class of reporters. I deny altogether the force of the evidence from the supposed accidental concurrence—I state this as the fact, that the reporters of the *Morning Chronicle* and *The Times* were in connexion with the *Mirror of Parliament*—that they did not make separate reports—(it would have been absurd if they had done so)—but they met together, compared each other's reports, and sent to the *Mirror of Parliament* that which gave the fullest report of one part of a speech, and that which gave the fullest report of another; and the reports of the *Mirror of Parliament* were concocted from the reports so furnished. That is the information which has reached me, and which I can establish by the most unquestionable evidence. I could prove what I state by taking the report of the *Mirror of Parliament*, and the reports of *The Times*, *Chronicle*, and *Morning Herald*, and showing that the report of my speech inserted in the *Mirror of Parliament* is a mere concoction from the reports of the three newspapers. I can prove that whole pages are taken from one or other of those papers, with scarcely the variation of a word, or only changing the person; altering "he" into "I;" I can prove it by the fact, that trifling errors which by some accident occurred in the report made for *The Times*, by a most able and distinguished reporter (Mr. Tyas), have been copied in the *Mirror of Parliament*. Then, if this be the case, that there were no separate reports for the *Mirror of Parliament*—if they were taken from the other papers—and if in this instance the reference to the "something that ought to be done for the Catholics" was copied from *The Times;* what becomes of the concurrence between them? Does not the argument, founded upon the concurrence of two reports, altogether break down? Well then, as to the charge of garbling my speech. When I knew I had not made use of the words attributed to me, when I saw that the newspapers generally consulted on such matters had excluded them, was I not justified in relying on their concurrence, and in excluding those words also? But the hon. Gentleman says he finds this note appended to the speech in *Hansard*, "Inserted with the permission and approbation of Mr. Secretary Peel," and that remark elicited "prolonged cheering;" as if I had sent to *Hansard* a corrected report of the speech with the *suppressio veri*, and begged him to insert it! What is the fact? I should have thought the hon. Gentleman would have known it. Mr. Murray, the bookseller, published that speech, and had the copyright of it; the

publishers of *Hansard's Debates* applied for my permission to insert that report, and I asked Mr. Murray to grant it; when it was published they inserted a note in order to show that this was not done surreptitiously, but had my authority and concurrence. I observe, that *The Times* reporter, he who originally made this mistake, and inserted the words, "something ought to be done with the Roman Catholic question," regrets, at the end of the report—though other reporters make no such complaint—that "the right hon. Baronet's voice was occasionally so low that he was but indistinctly heard in the gallery;" and, nineteen years after the fact, I am to be called on and condemned upon that report. And on what ground? Because there was a deaf reporter for the *The Times*. Every other reporter reported me correctly: *The Times* reporter made a mistake, and *The Times* reporter says I was "indistinctly heard in the gallery."

It was on Monday night last, that, for the first time, I heard of any discrepancies in the reports; and I was denounced as a garbler, and mutilator, and suppressor of the truth, because in correcting my speech I took the authority of four reports against one, the four confirming what was my own impression. I think I have disposed of Mr. Barrow and his independent reports—this man of intelligence and education, who wrote reports which I have demonstrated he did not write. I have not Mr. Barrow to appeal to; but I cannot doubt he would deny the allegation that the *Mirror of Parliament* had a band of reporters separate and distinct from the reporters for the newspapers. I now come to that part of the subject which relates to the speech of my right hon. Friend, Sir Edward Knatchbull. As I have said, I was engaged in all the fierce conflicts to which I adverted a little while ago; and I never heard of this charge before. I was not aware that it had been preferred in 1829 by Sir Edward Knatchbull. The fact is, that if I had stated in 1829 that my opinions on the Catholic question had undergone a change in 1825, such a statement would have been utterly at variance not only with the fact, but with the whole tenor of the speech made in 1829. I said in that speech, that I was prepared to take the same course then which I had taken in 1825—namely, resign my office; but with this addition, that I then advised the adjustment of the Catholic question, and that I was prepared in a private capacity to support to the utmost of my power a measure for its adjustment. My speech in proposing the Roman Catholic Relief Bill in 1829, was delivered on the 5th March. On the following day, the 6th of March, I was questioned, not why I had stated that in 1825 my opinions had changed, but the natural question was put to me—if you are prepared to grant Catholic Emancipation in 1829, why did you not consent, in 1827, to form part of an Administration of which Mr. Canning was to be the head, and which was favourable to concession? That question was put to me on the 6th of March by the Earl of Uxbridge. With respect to the speech of Sir Edward Knatchbull, I know well that my right hon. Friend would be incapable of garbling or omitting anything in a speech of his; and I wish hon. Members would read that speech. He does there assume that, in the statement made by me on the 5th March, I had used the words in question; but might not Sir Edward Knatchbull have seen the report of the *Mirror of Parliament*, and drawn his inferences from that report? Here let me ask one other question. As the hon. Member for Shrewsbury thought it right to collate the report in the *Mirror of Parliament* with that in *The Times* with regard to my speech, I ask him, did he take the same course with respect to the speech of Sir Edward Knatchbull? The hon. Member did not trust to the *Mirror of Parliament* in preferring his accusation against me, but said that he had had the caution to refer to *The Times*, for the purpose of ascertaining whether that newspaper confirmed the report of the *Mirror of Parliament*. Has he taken the same course with respect to the speech of Sir Edward Knatchbull? Has he compared *The Times'* report of Sir Edward Knatchbull's speech with the report in the *Mirror of Parliament?* Here is the report of that speech, which appeared in *The Times* newspaper, and which contains not one single word of the accusation which the *Mirror of Parliament* represents that Gentleman to have made against me, namely, that I had admitted that in 1825 I was of opinion that the time had come when concessions should be made to the Catholics. This is the report of Sir E. Knatchbull's speech in *The Times*:—

"With reference to the occasion he alluded to, he asked the right hon. Gentleman, if the state of Ireland and the country were the reason of his

present policy, ought not the measure to have been, in justice to the country, conceded in the time of Mr. Canning? If the same grounds of argument, the same necessity from the state of Ireland existed then as at present, why did not the right hon. Gentleman support it when it received the aid and countenance of Mr. Canning? If the right hon. Gentleman had not then discovered the necessity of concession, why did he oppose Mr. Canning on other grounds which he has since abandoned? Mr. Canning was the powerful, the consistent, the eloquent advocate of the Catholics; and if the right hon. Gentleman, in 1829, saw reason for adopting the line of policy invariably maintained by that distinguished statesman, why did he not as readily see it in 1827, when Mr. Canning was alive?"

The House will not fail to observe, that in the report of *The Times*, there is not one word to favour the supposition that Sir E. Knatchbull charged me with having asserted, in the year 1829, that my opinions with respect to the policy of offering further resistance to the Catholic claims had undergone a change in the year 1825. But, Sir, I have not contented myself with a reference to *The Times* report alone. This accusation is not in the report of the *Morning Herald*, nor in that of the *Morning Journal*. I will take up the *Morning Journal* again. Its version of the speech of Sir E. Knatchbull runs thus:—

"I say, then, in reference to that period, that if the policy of conceding the claims of the Catholics was so strong as the right hon. Gentleman describes it to be, in common justice to the country, in common justice to himself, that was the moment when he should have conceded them. When Mr. Canning, who was the advocate—the able and the consistent advocate of the Catholic claims, first introduced into Parliament a measure for conceding those claims, I did not consider such concession either expedient or necessary. Such was also my impression when they were again brought forward in 1827."

Is it fair to condemn me because there was such a report of the speech of Sir Edward Knatchbull in the *Mirror of Parliament*, of which report I had not the slightest conception; a report which is not confirmed by that of *The Times*, or the *Morning Herald*, or the *Morning Journal*, none of which attribute the expression in question to Sir E. Knatchbull?—is it, I say, just to impute to me that I remained silent under a charge which, so far as my recollection serves me, was never made. I am not prepared to say whether Sir Edward Knatchbull was or was not absent at the time my speech was delivered; but be that as it may, I am certain that he is totally incapable of garbling or mutilating any speech attributed to him.

Now, Sir, I have gone through, one by one, the charges which have been brought against me. I thank the House for the attention with which they have listened to me. I am deeply sensible of the disadvantages under which I have had to labour. Oppressed with public business, I have had to devote two or three days to the collating and contrasting of newspaper reports, of speeches delivered many years since, for the purpose of rebutting charges founded upon such an authority, preferred seventeen years after the transactions in question took place. I trust I may venture to assert I have succeeded in vindicating myself; and yet, considering the difficulty in which I was placed, how possible it is that I might have failed! I might not have been able to have proved my case so completely. But I have had the willing aid of gentlemen connected with the public press—gentlemen beyond my influence, beyond my control. Actuated by no other feelings than those which are suggested by a love of justice, they have generously come forward to supply me with the information necessary for my vindication—the information which enables me to deny that Mr. Barrow reported one line of the speech in 1829—which enables me to deny that the *Mirror of Parliament* had a band of reporters independent of the public press—which enables me to shatter to pieces the hostile conclusions which are founded on the apparent concurrence of the report of *The Times* with that of the *Mirror of Parliament*. I have been enabled to prove that that report is at direct variance with the reports in all the other morning newspapers—to prove that it is not an independent report—that the reason why an equivocal expression appeared in the *Mirror of Parliament* is simply this, that the report of *The Times* was adopted and engrafted into the *Mirror of Parliament*.

The hon. Gentleman concluded his speech by a passionate representation of his veneration and affection for the memory of Mr. Canning; and at a fitting time, and in a fitting manner, these are feelings which are to be held in respect. The hon. Gentleman described Mr. Canning as an eagle; he spoke of him as the rider of Bucephalus. One would have supposed that he had devoted all the energies of all his intellect to magnify the praises of Mr. Canning, and that he had submitted to some great personal sacrifice on account of his devotion to Mr. Canning. Why, Sir, if he has those feelings, they are to be held in honour; but if the hon.

Gentleman is parading these feelings of veneration for the memory of Mr. Canning for the mere purpose of wounding a political opponent, he is desecrating feelings which, when sincere, are entitled to esteem and respect. So far from succeeding in his purpose of inflicting a blow upon me, he is rallying around me public sympathy; and exciting public indignation at the time chosen for this attack, and the motives which led to it. The hon. Gentleman frequently and feelingly complains that I won't condescend to bandy personalities with him. I, Sir, defend myself when I think defence is necessary; I defend myself now on account of the plausibility of the charge and concatenation of circumstances brought together as evidence. But when the hon. Gentleman is so industrious in his research, as to point out at what house on a certain day I attended a certain dinner, I say at once I will not descend to his details; I know not where the dinner to which he refers, on the 3rd of May, 1827, was given, and I trust the House will pardon me if I do not condescend to inquire. No, Sir, I will not answer that hon. Gentleman. I will not inquire whether that hon. Gentleman has a right to talk about "an organized hypocrisy," "a pharisaical association." With these charges and these phrases I have no concern. Every man has a right to determine for himself with whom and on what occasions he will descend into the arena of personal contest. I will not retaliate upon the hon. Gentleman. I limit myself to the defence of my character when unjustly attacked. If new and unheard-of charges are to be brought against me—if documents of which I have had no notice are to be produced against me after my successful refutation of the argument founded upon those which have been produced, then I put in a preliminary appeal to the justice and to the generosity of this House—I entreat them to bear in mind that I have now no opportunity of replying to new charges. If new charges are to be preferred, I trust, either that notice will be given to me of the nature of them, or, if it be not, that the House of Commons will again accede to my appeal, and again suspend their judgment until the time shall come for my defence.

Lord G. BENTINCK said: Sir, the charges which have been preferred against the right hon. Baronet were made by the humble individual who now addresses you, and not by my hon. Friend the Member for Shrewsbury (Mr. Disraeli). It was my hon. Friend who rose to defend me against the reply of the right hon. Gentleman; and I, therefore, think the House will agree with me, that it becomes me, rather than my hon. Friend, to get up and maintain the charge which I meant to make. Sir, I was not in this House in 1826 or in 1827; but I was a Member of this House in 1828, and I was a Member of this House in 1829; I heard the speech of the right hon. Baronet; I heard the question asked him by the Earl of Uxbridge, and I heard his answer to it. I heard also the speech, the crushing speech of Sir Edward Knatchbull; I heard the answer; and I am prepared to show, by the internal evidence of those reports, that the statement which I have made is the truth. The right hon. Baronet has stated that Mr. Barrow was not the reporter. Why, I presume there is not a Gentleman in this House who does not know that to a speech of four hours' length there would be four, six, or twelve different reporters; and when my hon. Friend spoke of Mr. Barrow, he spoke of him as the head of the establishment, not as actually the man who made those reports. But I appeal still to those reports: I take *Hansard's* corrected as it is; I will take the *Mirror of Parliament*, and I will undertake to show by the internal evidence which these afford, that what I imputed to the right hon. Baronet is to be found in the speech which he himself made. Other evidence—why I have no other evidence. When I made this charge I had referred to the *Mirror of Parliament*, and to nothing else; I was not aware even that *Hansard* had been submitted to the correction of the right hon. Baronet. Well, I will go into those reports. What does the right hon. Baronet say in the outset of the paragraph?

> "So far as I am personally concerned, I beg to say that my own course on this question is the same as that which suggested itself to me in 1825."

Another paragraph stated that in 1829—and we all know what was the course of the right hon. Baronet—his course was the same as it was in 1825. I will confirm that by *Hansard*, which, in the corrected report, says—

> "So far as my own course on this question is concerned, it is the same with that which suggested itself to my mind in 1825."

We have thus the right hon. Baronet's

own evidence, and we have the report of the *Mirror of Parliament*, to attest that his conduct in 1829 and in 1825 were the same. The right hon. Baronet has told you they were not independent reporters, but he has also told you that all the different corps of reporters met together, that they collated and compared their reports, and that a selected report was inserted in the *Mirror of Parliament*. The reporters agreed to and fixed upon that report which they deemed the best and most accurate. Why, Sir, if I had wanted evidence to prove the correctness of the *Mirror of Parliament*, what better evidence could I have than that which is furnished in this statement of the right hon. Baronet? The right hon. Baronet goes on to say—

"After the House of Commons came to a decision, I stated in 1828 I was prepared to take the course I had been prepared to take in 1825."

With this addition—

"I intimated to the noble Duke at the head of His Majesty's Government, that I was not only prepared and anxious to retire from office, but that seeing that the current of public opinion was setting in favour of the Catholic claims—in whatever station I might find myself, I could no longer feel justified in opposing them."

"To this I add"—(and the right hon. Baronet did not press this sentence)—

"For this great object I was prepared to make a sacrifice of consistency and friendship. By whatever parties the settlement of the question was taken up, I for one was prepared, in whatever post I might be, to support any measure for that purpose, which I might consider compatible with the safety of the Protestant establishment.

So that this was the addition—in 1825 the right hon. Gentleman had seen the time was come when a concession ought to be made to the Roman Catholics: in 1825, he was prepared to retire from office, and let others carry the Catholic Emancipation; yet, in 1829, the addition was, that he himself was prepared to carry it. The right hon. Baronet referred on Monday night last to the question of, and the answer which he gave, to the Earl of Uxbridge. This is the answer that he gave to that noble Lord. On the 8th of March he said—

"The noble Lord has asked why, in 1827, I did not take the course which I took in 1828; and why I did not consent, in 1827, to assist Mr. Canning either in carrying on the Government, or in an adjustment of the Catholic question? To that question I reply, that between the circumstances in 1827 and 1828 there was this material difference: in 1827, when Mr. Canning made that proposal to me, the subject had been discussed in the House of Commons by the new Parliament, and I had been in a majority; in 1828 I was in a minority; and in 1828, therefore, I took the course I took in 1825."

I have only to read on to ascertain what this course was in 1828. I pursue the speech, and I find that he states that in 1828 he proposed to retire, having been in a minority, and he said—

"The time is now come—a new House of Commons having decided in favour of the claims of the Catholics, and the House of Lords being opposed to concession—when an attempt must be made to settle this question, and to that attempt I bend myself."

The right hon. Baronet has entered at great length into this matter: he has appealed to probabilities, and he has asked whether it was likely that he should have taken the course he did take, and have opposed the Catholic question in 1825, if he had in reality communicated to the Earl of Liverpool that he was prepared to retire from office to allow the measure to be carried? Why, who is to say, from the conduct of the right hon. Gentleman at one time what it is probable he will do at another? He told you what he did in 1828; he told you, when opposing the Roman Catholic claims, that he then said, something must be done—the question must be carried. In 1831, the right hon. Gentleman the Member for Edinburgh (Mr. Macaulay) twitted the right hon. Baronet with the course which he had pursed. It then pleased the right hon. Baronet to go, at great length into a statement of his conduct in 1828; and what did he say was his mode of proceeding? In 1828, he said, having offered every opposition while in office, and having continued it to the last, and being again left in a minority, circumstances had arisen which had produced the strongest impression on his mind that there was more danger in resisting than in consenting to the measure. The right hon. Baronet even said that his opinion on this question had remained unchanged, but at that time his conviction that resistance should be offered, was counterbalanced by doubts and apprehensions with respect to the evils that might arise in Ireland. What account did the right hon. Baronet give respecting the state of his own mind in the year 1828—I mean in the summer of 1828? We have it in this statement:—

"The right hon. Baronet stated, that in the summer of 1828, at least in the latter end of the

summer of that year, that he was not in London; that he wrote to the Premier of that period, stating, that if it should be thought necessary, that he would propose a measure upon that greatest of all questions; and he should at once set aside all considerations of false delicacy, and do that which the service of the King might require. No fear of inconsistency should prevent him from doing that which he believed to be his duty. At any hazard, and by any sacrifice of individual feelings or opinions, he should be prepared to propose whatever measure the necessities of the Government might require. He should put all personal feelings out of the question. He avowed that he was ready to quit office, and he believed that out of office, rather than as a Member of the Government, he should be most useful as a supporter of the Roman Catholic claims. He suggested that his authority with the Protestant party could better advance the object in view if he did not hold a place in the Government. The right hon. Baronet further stated, that he continued to entertain the intention of quitting office until the month of January, 1829, when he was told, that if he were then to retire, the influence on the mind of the King would be productive of the most unfavourable effects upon the question of Roman Catholic relief. He did, in his letter to the Premier, state, that it would be most painful to his feelings, and very injurious to his character as a public man, if he were to remain in office and propose the measure of emancipation."

The right hon. Baronet told the world that he was prepared to make any sacrifice for the purpose of carrying on the business of the Government, consistently with a concession of Roman Catholic claims. But it appeared that up to the end of 1828, that is to say, early in January, 1829, he came to the conclusion that he ought not to indulge the wish that he entertained of resigning, but rather that he should hold office, and endeavour, if possible, to reconcile his sense of duty with a repeal of the penal laws; and his reason for taking that course seems to have been this, that in the then state of the King's opinions it would have endangered the prospect of carrying Roman Catholic Emancipation, if the right hon. Baronet were at such a moment to throw up office. But now I will ask, is the memory of hon. Gentlemen so imperfect—is the memory of the country so feeble, as that any one amongst us should have forgotten the autumn of 1828—that autumn which immediately followed the summer in which the right hon. Baronet so unequivocally and unreservedly expressed his sentiments upon the Roman Catholic question to the noble Duke then at the head of the Government? Is there any man now alive, and who lived in those days, can have forgotten the triumphant progress which the right hon. Baronet made as the apostle of Protestantism? Will the country ever forget that he opposed Mr. Canning on the question of the Roman Catholic claims in 1827—that he wrote his memorable letter to the Duke of Wellington in the summer of 1828—that he had the assurance, had the courage, in the year 1828, to go down to Manchester as the apostle and the champion of Protestant ascendancy? Will it ever be forgotten that he made a progress through all the manufacturing districts as the advocate of Protestantism at a time when he had deliberately made up his mind in favour of Roman Catholic claims? It was not, as I have said, alone in Manchester that he appeared as the apostle of Protestant ascendancy. He went to Bolton, he went to Liverpool. The world had heard of the "no surrender oak"—they had heard of what had been done with reference to the right hon. Baronet by Mr. Hulton, of Hulton—they heard of the snuff-box presented to him, and of all that Mr. Hollingshed had done. No man who lived in those times could ever forget the vast assemblages of Protestants and Orangemen which the right hon. Baronet attended. Who would then have suspected that the right hon. Baronet had, in the summer of 1828, made up his mind in favour of concession to the Roman Catholics? And now, then, I think that there is an end of his boasted defence. You now see the little regard that he had for his engagements, and the little credit that he deserves for consistency. The House will see that I speak my mind plainly as a man should do when he addresses plain Englishmen—men who are free from all guile. I ask such men, could they, remembering the great dinners which had been given to the right hon. Baronet in Lancashire—I ask them, is there any one amongst the Members of this House who, for a moment, can suppose that his proceedings upon that occasion were intended for any other purpose than to induce a belief that he intended to resist, while, in fact, he intended to concede, the claims of the Roman Catholics? I now come back to the speech of Sir Edward Knatchbull. The right hon. Baronet says, he has not compared the version of Sir Edward Knatchbull's speech which he read to the House with any other report which appeared in the newspapers of that period, for the purpose of seeing if they corresponded; but then the right hon. Baronet said, that Sir Edward Knatchbull had not heard the speech which the right hon. Baronet had made. Would that make

any difference? But then the right hon. Baronet said, that the most powerful part of the speech delivered by Sir E. Knatchbull was in answer to a speech which he had never heard. Nothing could be more evident to the House than this, that the right hon. Baronet was not able to touch that part of the speech of Sir E. Knatchbull. The right hon. Baronet has not gotten over the main part of the charge of the conduct that he pursued towards Mr. Canning; that has never yet been answered. This is the report of the speech of Sir E. Knatchbull, as it appeared in the *Mirror of Parliament*, at least of that part of it which bears upon the present discussion:—

"With reference to the occasion he alluded to, he asked the right hon. Gentleman if the state of Ireland and the country were the reason of his present policy, ought not the measure to have been, in justice to the country, conceded in the time of Mr. Canning? If the same grounds of argument, the same necessity, from the state of Ireland, existed then, as at present, why did not the right hon. Gentleman support it when it received the aid and countenance of Mr. Canning? If the right hon. Gentleman had not then discovered the necessity of concessions, why did he oppose Mr. Canning on other grounds, which he has since abandoned? Mr. Canning was the powerful, the consistent, the eloquent advocate of the Catholics; and if the right hon. Gentleman, in 1829, saw reason for adopting the line of policy invariably maintained by that distinguished statesman, why did he not as readily see it in 1827, when Mr. Canning was alive?"

That was the language held by Sir E. Knatchbull, the leader of the country gentlemen in this House and of the country gentlemen of England. The right hon. Baronet says that Sir E. Knatchbull complained of indisposition, and he would have it inferred that the right hon. Baronet, Sir E. Knatchbull had not heard his speech; but would not the right hon. Baronet have been the first to say, "The most powerful and cutting part of your speech in reply to mine was in answer to something which I never said." The imputation made by Sir E. Knatchbull the right hon. Baronet has never answered. Now when Sir E. Knatchbull was the leader of the Protestant party—when he was the leader of the country gentlemen of England—when acting, as he said he did, in unison with the feelings of the right hon. Baronet, in conjunction with Lord Winchilsea, he called a meeting at Penden Heath, of 20,000 persons—I ask, can it be believed that the right hon. Baronet would have passed over Sir E. Knatchbull's speech without answering it, if an answer could have been made to it? Now it has been said, that the report in *Hansard* does not correspond with that in the *Mirror of Parliament*; but I believe that though the language is not precisely the same, the sense is the same. The right hon. Gentleman, however, said (that was in 1825) that even then he was satisfied that something must be done to conciliate Ireland. If, therefore, he was satisfied of the necessity of conciliation, and was thus abandoned by his supporters, why did he not consent to lend his assistance to Mr. Canning for the accomplishment of that object?" But was that the only comment that was made upon the conduct of the right hon. Gentleman? Sir, there was at that time in the House a warm supporter of Protestant ascendancy—Mr. Michael Thomas Sadler—and what was the language that he used on that occasion? He said—

"'Long-winded orations, passages which lead to nothing,' can never set this matter in an honest light before the people of England. They can comprehend it as little as the question of emancipation, on which they are declared to be so ignorant and besotted. They were, however, beguiled by these explanations—I was one of them. I thought the conduct of the noble and right hon. individuals concerned, a sacrifice to principle and consistency—what it was it is not now worth while to inquire, since it was anything rather than that. It is now too late to rectify the error; all that remains is to regret most deeply that, faithfully following those who have so secretly, suddenly, and unceremoniously deserted us, we were taught to regard a highly gifted individual unhappily now no more, as one who ought not to serve his King and country as the head of the Government, because he was favourable to the measures now so indecently forced upon the country. I do heartily repent of my share in the too successful attempt of hunting down so noble a victim—a man whom England and the world could not fail to recognize as its ornament—whose eloquence was, in these days at least, unrivalled—the energies of whose capacious mind, stored with knowledge and elevated by genius, were devoted to the service of his country. As to the qualities of his generous heart, let those speak to them who felt the warmth of his friendship, which, I believe, could only be equalled by its stability. Had I had the honour of a seat in this House at that time, and could I have anticipated present events, I should have conscientiously opposed him on this vital question, it is true; but with feelings very different from those with which I now approach it. This was the man with whom the present Ministers could not act, and for a reason which vitiates their present doings. Coupling, therefore, that transaction with the present—if the annals of our country furnish so disgraceful a page—I have very imperfectly consulted them. But, peace to his memory! My humble tribute is paid, when it can be no longer heard or regarded—when it is drowned by the voice of interested adulation, poured only into the ears of the living. He fell; but his character

is rescued—it rises and triumphs over that of his surviving —— What shall I call them ? Let their own consciences supply the hiatus ?"

That was the comment of Mr. Sadler on this same speech of the right hon. Baronet. It is well remembered by all those who heard it, that Mr. Sadler wound up another paragraph of his speech with this remarkable expression — "What David said in his haste, I say deliberately, 'All men are liars.'" But I beg to remind the House that whatever Mr. Sadler may have said, or whatever extraneous evidence may be brought before us, we have here this evening under our view one most important fact, that the right hon. Baronet rests his defence upon the report in the *Mirror of Parliament* being erroneous, although he himself tells us that the reports in that publication were made up by a collation of the several reports which appeared in the morning papers; that they were the result of a deliberate investigation, gone into the day after the speeches were delivered. I think, then, I have fully shown that the speech of 1829 contained a statement of the reasons which were given in favour of the Catholic claims four years previously, viz., in 1825. In the latter year the right hon. Baronet tendered his resignation. That resignation was not accepted; but in tendering it he stated that he thought the time had come when something ought to be done respecting the Catholic claims. In 1828, as in 1825, he thought that something ought to be done; and yet in the autumn of 1828 he made a progress through the north of England as the champion of Protestantism. In 1829, the right hon. Baronet proposed to carry the measure of emancipation in Parliament, and he did carry it. This is the whole history of the matter, and I never thought it was at any time disputed. My hon. Friend quoted as an illustration of it, what others thought of it. The statement in *Hansard*, and the conclusion to be drawn from *Hansard* and the *Mirror of Parliament* clearly pointed to the fact that the statement was a verbal one, though the resignation was in a written letter. I can answer for myself that it was only in the course of Monday that the *Edinburgh Review* was first brought down by some Gentlemen opposite. When I saw it I put it aside, saying that it was nothing to the purpose, and some persons put it into the hand of my hon. Friend; but that was no part of the case to be made. That case stands on its own intrinsic merits; it stands on its intrinsic merits as I stated them to the House, comparing *Hansard* with the *Mirror of Parliament*. The right hon. Baronet has condescended to state that the reporter for *The Times* newspaper was a deaf reporter. Why, he has admitted the speech was one of four hours. The hon. Baronet, by such an argument, may seek to delude the unwary, and catch a transitory cheer. The speech lasted four hours, and therefore could not all have been taken down by any one reporter; for we all know that the practice in this House is, that a speech of such a length should be divided among four, or five, or six, or, perhaps, among seven or eight reporters. We all know that the reporters here are changed every half hour, and sometimes every quarter of an hour. It is therefore quite a delusion for the right hon. Baronet to assume the imperfection or the excellence of one part of the report from the imperfection or the excellence of another. And let me call your attention to this fact, that the report upon which the right hon. Baronet rests his defence, is one much shorter than that upon which the accusation has been brought. A correct transcript of a shorthand report cannot be enlarged without wilful falsification, though it may be abridged in perfect good faith. But I find that the passage in the report on which the right hon. Baronet relies contains only thirty-eight words, while that brought against him contains sixty-six words. It is evident that the pruning knife was applied to the report which was corrected by the right hon. Baronet himself. And I verily believe that the words in dispute were struck out of that report. I feel deeply the conduct pursued towards Mr. Canning; and when I sat opposite to the right hon. Baronet, and heard his explanations as to what took place in 1825 and 1827, I watched his countenance, and though I won't say that the book fell from his hands, he threw it from him. I have, Sir, my own opinions on that subject, and I think there must be some feelings which came across him when he altered the evidence.

Sir W. JAMES said: I rise to order, and ask whether it is correct to refer to what occurred in former years, and to declare that the hon. Member has altered the evidence ?

Mr. SPEAKER: The noble Lord has not said anything that is out of order.

Lord G. BENTINCK: The right hon. Baronet has acknowledged that he correct-

ed this report, but I have no occasion to have that acknowledgment, for there is a note at the bottom of the page to that effect. But what answer did he give to the speech of Sir E. Knatchbull? And even as corrected, his speech says that he took in 1829 the same course that he did in 1825; and there is, in direct evidence, the speech before us, which was severely commented upon by Sir E. Knatchbull, and on which a question was asked by the Earl of Uxbridge. It was with this general knowledge of the speech that I in the course of the debate said, and say again, that, though the offences of 1827 and 1829 had been forgiven, and though I believe I used the expression, that for a long series of years he had sat on the stool of repentance, yet the same offence cannot be committed twice by the same Minister. I am here representing an English constituency, and I am sure that I represent the feelings of the English constituencies generally, when I say that a course of double dealing such as that cannot be committed twice by a Minister, however high he may be in the councils of his Sovereign, with impunity. The right hon. Baronet is a great reformer of the criminal law, and he has talked to-night of a statute of limitations; but he knows that this statute applies only to civil debts, and that it has never yet been extended to criminal offences. We all know that a man for stealing a sheep may be transported for seven years—and the right hon. Baronet has been transported from office for more than seven years—and if the man returns from his transportation to society, his crime is forgiven; but if he afterwards steals, not a sheep but a fowl, the judge asks after his former conviction, and then sentences him to a punishment of transportation for a longer period than he had before. This is the charge which I made against the right hon. Baronet. I said that he re-enacted the part in 1841, against the Whigs, which against Mr. Canning he enacted in 1827. I said that he had been twice convicted of an offence of the same degree, and that the country could not forget that he had committed a second offence of a similar character; and therefore I thought as the time was come when the country had ceased to place confidence in him, so the Parliament should also—and, as far as I was concerned, would —mark its censure by a vote which would be tantamount to a vote of no confidence, and turn him out of power. Thus, only incidentally, did I use the expression with respect to the change of opinion in 1825, and the mode in which he had dealt with Mr. Canning in 1827. And he has made the same change now. He united against the noble Lord, and turned him out of power, because he could not act with any one who raised the cry of cheap bread, and because the noble Lord proposed to remove protection beyond a fixed duty of 8*s.* a quarter. I am in the hearing of the House whether I made any unjust charges, or whether I acted from any vindictive feeling out of regard to the memory of Mr. Canning, or whether I brought forward any new story without provocation. If I had made any calumnious charge, I should be the first man to say that I am unfit to hold a seat in this House. I am here to denounce, and so long as I have the honour to hold a seat in this House I will denounce, the political profligacy of public men. I am told, Sir, that this language does not comport with decency. I am told that such language has never been heard in this House. Sir, I think I can recollect the time when the brother-in-law of the right hon. Baronet (Mr. G. R. Dawson) held such language as this. Speaking of the junction of the Whigs with Mr. Canning, he said, that "it was the basest and most unnatural coalition that ever disgraced the annals of Parliament." And yet that was the Gentleman of whom it is well remembered that Sir F. Burdett said, that he and the right hon. Baronet run in couples, and hunted together. The right hon. Gentleman is not, therefore, entitled to be quite so delicate and sensitive about strong language. Where was the base coalition—where was the unnatural coalition in 1827, neither the right hon. Baronet, nor his coadjutor, nor the other hounds with which he hunted—were ever able to say; and it seems rather hard to lecture you now, Sir, for permitting such language as I have used. Sir, I was not one of those who supported your election to the chair, I voted for another gentleman to hold that situation. You were untried at that time. You were put into the chair by a small majority of the supporters of the noble Lord opposite. But there came another election, and there was then returned a majority of more than ninety opposed to your views; and if your conduct had not been a model of justice; if you had not been a pattern of fairness, I should like to know whether we should not have turned

you out of that chair. But, Sir, you had won the confidence of every man in this House; because you had shown no servility to any party in this House, because you never looked to the right hand or to the left, and if the right hon. Baronet had proposed to turn you out of that chair, I believe he would not have found a seconder. You are well read in the history of your country, and though we have sometimes a supremacy of sentiment, you know well that "a delicacy and reserve is criminal when the interests of England are hazarded;" and if they are not now hazarded, I never knew a time when they were. I speak the feelings of my own heart, and I believe also the feelings of the heart of the English people, and I will maintain, as long as I have a seat in this House, my right to denounce the men, whether they are Ministers or private individuals in this House, who shall betray the trust confided in them by their constituents. I do so upon high public grounds. [Mr. B. Escott: Who has betrayed them?] You ask who has betrayed them—why you. You think I do not know, but I am one of your constituents, and as such I know something of what is passing in the city of Winchester. On high constitutional grounds I say, we ought not to wrap up in deceitful language the crime of tergiversation of which so many Gentlemen have been guilty. And I use the sentiments of Lord Chatham when I say, that "if the country cannot place confidence in the promises and pledges of their representatives, the power and authority of this House will fall;" and it is because for the second time the right hon. Baronet has attempted to lower the character of English gentlemen, who are representatives in this House, and to drag them through the mire, that I denounced such conduct in the strong language I used on a former occasion. Sure I am of this, that the tendency—I will not say the object—but the tendency of the measures of the right hon. Baronet is to lower the character, and to sap and undermine the confidence reposed in the characters of English gentlemen; and that the tendency of his measures is to destroy the gentlemen of England. Sir, by the course of his political conduct, the right hon. Baronet has subverted that feeling of placing political trust and confidence in the representatives of the people, which is essential to maintain the power and dominion of the House. He has brought things to this pass, that by his example he has taught the representatives of the English people, that, if it be not their duty, it is their privilege to betray their constituents; and I venture to say, without fear of contradiction, that there was not when Parliament met—though I hope things are different now—a great constituency in the country that did not apprehend more danger from those representatives, whom they had themselves sent to Parliament to protect their property and to defend their rights, than from their most open and daring enemies. For these reasons, as a plain English gentleman, and pretending to nothing more than to speak the sentiments of the middle classes and of the yeomen of England, I impugn the conduct of Her Majesty's Ministers and their supporters. If the term "renegade" be objectionable, I recollect a term which the right hon. Baronet has consecrated in Parliamentary praseology, the term "apostacy;" and if the term "renegade" be unparliamentary, I make him a present of the unobjectionable term. In 1835 he told the House that in the course he took when he returned to office he would be guilty of no apostacy, and that he would not swerve from his principles; and he has told the country that I acknowledged him to be my leader. I want to know when I acknowledged him as my leader? The right hon. Gentleman may get up and answer when by any act of mine I made him my leader! In 1828, when I first came into Parliament, I voted, in almost every division, against the right hon. Baronet. I not adopt the right hon. Gentleman, but Lord Stanley, who was the follower of Lord Althorp, as my leader. I voted in the majority against the Corporation and Test Acts, and then the right hon. Baronet adopted the repeal, and did not declare, as he did in the early part of this year, that he would hold office by no servile tenure. I was against him in the majority of six on another question; and I was against him in the majority which turned him out of office. I ask him, then, what claim he has to set himself up as my leader? In good report and in evil report, whether for good or for bad, I have followed my noble Friend (Lord Stanley) as long as I have been in Parliament. I followed him in the general election of 1834, when I stood distinctly as a Stanleyite, and on principles in contradiction to those of the right hon. Baronet. Upon this point I say that, to his honour, I can ap-

peal to my hon. and learned Friend the Attorney General. It did happen that he was asked to go and stand with me at that election; he was told that if he stood with me he would stand on the opinions of Lord Stanley, as contradistinguished from the opinions of the right hon. Baronet. To the great honour of my learned Friend, though he would have been put to no expense whether he won or lost, he said, "I have never expressed such opinions, I am a Tory, and not a follower of Lord Stanley; I am a follower of Sir R. Peel, and, as such, I cannot stand with you." When my noble Friend, Lord Stanley, joined the Administration, I followed him, but would not accept office. I had no desire then, as I have no desire now, for office. But the right hon. Baronet knows that an offer was made to me of an appointment, and that I entered into negotiation, but declined the offer. What right, then, has he to tell me that I was one who acknowledged him as my leader? I think, then, that under these circumstances the reply of the right hon. Gentleman has fallen far short of what it might have been. I put the evidence and the case before the country. I rest it on its own intrinsic merits, and I am willing to be bound by the impartial judgment of private opinion.

SIR J. HANMER wished to say a few words, which were more pertinent to the question than the observations of the noble Lord; and he would try to prove, by the words of the noble Lord, who told them that he lived in the hearts of the English people—["No, no!"]—or at any rate said he spoke a language which would find a response in the English people, that any allusion to Mr. Fox was not well founded; for if Mr. Fox had accused any other Member of hunting an illustrious individual to death, he would have been the last to support such a Member, though he were a Minister. The noble Lord had said that he had never done anything to make the right hon. Baronet his leader; but that he had done so at a time which was most important, the noble Lord could not be in a condition to deny. He said that the noble Lord, and he could prove it, had spoken at an election as a supporter of the right hon. Baronet. He assured the House that he very rarely, unless they were of great importance, or that he had not been present at the debates, read the speeches that were made in that House. Of course he read the speeches of the Ministers and of their chief opponents. Yes, he read one or two, but as to diving into the speeches, and caring about what that noble Lord or that hon. Gentleman said at one time or another, he was very little given to it indeed. They had heard nothing that evening from the noble Lord but quotations from the *Mirror of Parliament* and *Hansard*. But it had occurred to him, looking at the speeches the noble Lord was accustomed to make in that House, to see what the noble Lord had said to his constituents at Lynn, and therefore he did desire a gentleman to go to a place the other day where he believed all such speeches and records of such transactions were kept; and in his hand he had an extract from the *Norfolk Chronicle and Norwich Gazette*, for Saturday, the 3rd of July, 1841, in which the noble Lord, then a candidate for Lynn, was reported to have said, that—

> "It was then six years ago since His late Majesty King William IV. had called to his councils a Conservative Administration. At that period he appeared before them (the electors) and claimed their suffrages upon the ground that a fair trial was proposed to be given to the Conservative Minister of the late King. It was then their pleasure upon that occasion to send him to Parliament to give his support to the Ministers of that day in upholding and supporting the vast and important institutions of the country."

Now, at that time Lord Stanley, whom the noble Lord said he followed as his political leader, had been invited, as everybody knew, by the right hon. Baronet to form part of that Administration; but the noble Lord declined, specially for the reason that he had up to that time had no confidence in the Government. There was then at that time between Lord Stanley and the Government a great gulf fixed; there was a broad distinction between them, but yet the noble Lord distinctly said that he had been in 1835 sent to Parliament to give his support to the Minister of that day, and therefore to the Administration of the right hon. Gentleman. He thought, then, that the noble Lord had acknowledged, in the name of the country and of his constituents, that he followed the right hon. Baronet as his leader. How did the noble Lord deny it? The noble Lord had distinctly recognised the right hon. Baronet as his leader, and therefore he thought the noble Lord was obnoxious to that question which had been justly asked him a few nights ago, how it was that, entertaining the feelings he did, he could so long have given to the right hon. Baronet his confidence? He did not know how soon a

dissolution of Parliament might take place, but that would tell what was the real value of all that declamation, and what was the real value put upon it by the people of England, and by those men who had followed the right hon. Baronet, and given to him support as earnest and sincere as he had ever received from the noble Lord. He thought, then, he had shown that the noble Lord, according to his own account, went to Parliament for the purpose not only of giving to the right hon. Baronet a fair trial, but also of giving to him his support.

Mr. ROEBUCK said, he was a plain man, and used to plain language, and being a plain person he was utterly at a loss to understand the precise position in which the noble Lord and the hon. Member for Shrewsbury placed themselves. He understood the noble Lord to say that he was not simply related to, but the friend of one whom he was pleased to call an illustrious statesman of this country—he was the friend and relation of Mr. Canning; he watched his career; stood by him when he was Minister of this country, harassed and borne down by the weight of office, and he saw him hunted to death ; he watched his career—he saw his end ; he watched the shaft that struck his noble heart ; he saw the bow whence the fatal weapon came ; he saw the hand that launched it ; and yet that hand and that man who launched that fatal shaft had, since that fatal moment, up to a late period, been designated by the noble Lord as his right hon. Friend. He was a plain man. Had he seen his friend hunted to death—had he watched his noble career, and looked upon him as a type of the greatness and glory of the country—had he seen him hunted by inferior men to death—what would have been his feelings as a plain and honest man against those who had done it ? Could he ever, even in Parliamentary phraseology, have called him his friend ? Could he ever in any mere formal phrase have given him that epithet; and would he have ever joined him in any private social converse, or in any way whatsoever treated him but as his enemy ? He said, that as a plain man who was accustomed to use plain language—and let him now ask this question still with all the same plainness of speech—how was it that Mr. Canning, being hunted to death some nineteen years ago, the noble Lord had never had—should he say the courage—he used a plain term ; he would be quite frank ; he was going to say what he thought of the noble Lord ; how was it, he asked, that nineteen years had passed away without the noble Lord having given expression to that feeling, or having acted upon it? How came it that the noble Lord, taking Mr. Canning as his guide, and feeling him to be his friend—and deeming the right hon. Baronet to have done nothing less than to have slain him—for he said the right hon. Baronet hunted Mr. Canning to death—had never discovered that delinquency, or given expression to that feeling, until the other day ? He could only explain it in this way—and he would ask whether the country would not say it was the fact—that the noble Lord had another cause of quarrel with the right hon. Baronet, somewhat personal to himself; then he took what appeared to the noble Lord the readiest means of casting, if possible, a slur upon his opponent ; and, not being over scrupulous in his phrase or assertions, said that the right hon. Baronet had hunted his right hon. relative to death ? From what the noble Lord had said, he was fully convinced the noble Lord had not paid attention to the necessary inferences that would be drawn with respect to himself. He did not think the noble Lord had altogether that calm and dispassionate manner which was requisite for a minority towards a majority; he did not think the noble Lord was blessed with that discretion which would lead him eventually—["Hear!"]—he saw the noble Lord anticipated him—that he did anticipate—to be the leader of a great party ; but he said that when he used the expression he had referred to he was wanting in that prudence which was requisite for the leader of a great party in this country ; and he could not understand how a person of that kind, a man who had seen his friend hunted to death, had let his rancour rest for nineteen years before he gave vent to his feelings. It was for the noble Lord to reconcile, if he could, his position for nineteen years, and why it was that it was not until the end of that time he deemed it right to make a complaint respecting it. But then he had also to ask when it was that the hon. Member for Shrewsbury had found out that the right hon. Gentleman was totally unfitted to guide the affairs of this country ? Was it in the year 1825, or 1827, or 1828, or 1829 ? The hon. Gentleman was at that time arrived at his years of discretion, and he well knew at that time what the right hon. Gentleman was doing. The hon. Gentleman came into

public life, and attempted to get into Parliament, in 1832. At that time, as he had said before, the Gentleman was a Radical. [Mr. DISRAELI: I was not in Parliament.] But the hon. Gentleman tried to get into Parliament. He then attempted it as a Tory; that did succeed: he then pronounced an eulogium—should he say, a fulsome eulogium?—upon the right hon. Baronet. He was accustomed then with his praise, as he is now accustomed in his vituperation, to lie by, and he came down with a prepared eulogium upon the right hon. Baronet. He did not blame the hon. Gentleman for preparation. A man to come to that House with a hasty speech, and unprepared ideas, was a bold and imprudent man; but he was not about to praise that sort of diligence which was spent in not getting at the truth—in elaborating thought and working out ideas—but in merely giving point to a dull weapon to make one blow, and giving vent to personal vanity and disappointed ambition. He, for one, did charge the hon. Gentleman, and in the face of the country, with changing his opinion because of his personal spite towards the right hon. Baronet. That was plain speaking; but he was speaking from the language, or rather the phraseology, of those who chose to call the Gentlemen opposed to them a band of hypocrites, renegades, persons who were guilty of petty larcenies. He thought it was Bacon who said, in speaking of wisdom, that truth was like the cross-bow; whether shot by a pigmy or a giant, it had the same effect; but authority was like the long-bow, and depended upon the strength and skill of the arm that wielded it. Now, he thought they might apply that rule to a man who dealt in imputations, who made charges, who weighed characters; and if he weighed a man's character, and accused him of inconsistency, and used vituperation, and expressed his opinion upon him, his opinion was of value according to his own character. If his charge consisted of facts, those facts would speak for themselves. That must be the cross-bow. But when the hon. Gentleman choose to express his opinion, and asked him or them to give it weight because it was his expression and his opinion, then he must be permitted to ask who he was who was thus flinging stones, and what was that sort of habitation in which he dwelt; and in this case he found it to be of an extremely brittle texture—he lived in a glass house; for the hon. Gentleman had changed his own opinions. The hon. Gentleman said that his Radical opinions were the opinions of his generous youth, but that his Tory opinions were those of his prudential manhood. The change, it appeared, was made when the Reform Bill had ceased to tend in the way of reform, and was not likely to carry him who chose to assume the tenets upon which it passed, into the high places of power, and so he abandoned it: the hon. Gentleman accordingly set his sail to catch t'other wind, and came to that corner of the House as a Tory; but unfortunate still in the attainment of his object, he did not gain his place, and then he chose to deal in that species of vituperation of which they had heard so many specimens. He was a sort of Paganini playing upon one string; he could only play upon the right hon. Baronet. The right hon. Baronet had thought it worth his while to answer the accusations brought against him by the noble Lord and the hon. Gentleman. He assured the right hon. Baronet, that although he might have felt pain that any noble Lord should have made such a charge, his answer had been triumphant; but it was unnecessary. The right hon. Baronet might depend upon the gratitude of his country for that great deed which had ensured the enmity of the noble Lord and the hon. Gentleman. He had had the courage to do what? The hon. Gentleman said that he was a vacillating Minister—that he had changed his opinions. He acknowledged that the right hon. Gentleman had had the courage to change his opinions. He had for a considerable period of his life been opposed to the right hon. Baronet; he thought his opinions wrong; but the right hon. Baronet had yielded them to evidence, and not to personal ambition. No seeking of popularity—no petty or base passion had influenced him in that change; he had made the change for the benefit of his country, and he would have his reward in the gratitude of his countrymen. When he watched the hon. Gentleman and the noble Lord—the little passions of the one, and the strange rancour of the other—and contrasted their conduct with the sacrifice which the right hon. Baronet had made, he felt it necessary to make a humble apology to the right hon. Baronet. He was not one who had pursued the right hon. Baronet with fulsome adulation, expecting aught from him; he had opposed him for the greater period of his life: he had not changed his

opinions; for, although he took no credit for it, he did think that the right hon. Baronet, in restricting trade, had been wrong; but he considered the right hon. Baronet was entitled to take great credit to himself for yielding to the force of evidence, and having the courage to meet all that coarse abuse. Was it nothing to sit there, night after night, to be baited as the right hon. Baronet had been from the commencement of the Session?—one who had passed thirty years of his life—the best years of his life in the service of his country? The party opposite would have taken anybody who would have served their purpose. First, it was the noble Lord the Member for Lynn; then the hon. Member for Shrewsbury, like the two kings of Brentford, smelling at the same nosegay; then the hon. Member for Knaresborough; and then a stripling Lord, set there to con his lesson, and who he thought was going to recite "My name is Norval," though he doubted whether the noble Lord could have done it, said, with the utmost complacency, "I have no confidence in the right hon. Baronet." That was the sight he had seen, and the people of England had seen, since the commencement of the Session; and he said that he gave expression to the right feeling of his countrymen when he said that they would not bear with anything of that sort at the present day. He was not in the slightest degree alarmed at the notion of a general election. He could meet his constituents, and was fully satisfied that the support he had given to the right hon. Baronet upon that very matter which had produced the enemity of the noble Lord and the hon. Gentleman, would secure for him his re-election. At the proper time, when the measure came regularly before the House, he should oppose it, as he had always opposed such measures, whether they came from the noble Lord (J. Russell) or the right hon. Baronet. He had never changed on that question, and he would do the right hon. Baronet the justice to say that he too had not changed. He was only following in the old beaten track of English politicians as to Ireland. The noble Lord the Member for London, in opposing the Bill, was actuated by a distinct policy; but hon. Gentlemen opposite were governed by a party policy alone. Their sole desire was to destroy the right hon. Baronet as the leader of that House and the Prime Minister of the country. He (Mr. Roebuck would feel it his duty in time to come to vote against the Bill; but, whatever might be the division, he earnestly hoped that the country would not lose the benefit of the great services which the right hon. Baronet could render to it. He trusted that the last act of the right hon. Baronet's political life would not be this great measure of commercial enfranchisement, but that he might be permitted to carry out his enlightened views to a still greater extent, and that those who advocated a liberal policy for the country would find in him a coadjutor for good, and not a mere Minister of evil, which he would have been had he allowed himself to follow in the footsteps of those who now assailed him. Every Minister of this country would find it difficult to govern, except by a system of compromise. He could conceive how totally impossible it would be to attempt to force upon the country a consecutive series of opinions. The right hon. Baronet, in the decided course he had taken, had performed a great political action, for which he deserved their support and admiration. A Minister of this country must receive the truth from time to time. Like other elevated minds, he would be the first to receive the light; and truth, like the sun itself, would strike upon the highest objects first, while the low level of ignorance lay still buried in obscurity. Those who were governed by back-looking prejudices would, however, still assail him after he had so received that light. He (Mr. Roebuck) felt it his duty to say what he had, and to give this expression of his strong feeling of gratitude to the right hon. Baronet, and of his supereminent carelessness and contempt for the right hon. Baronent's opponents.

Lord J. RUSSELL: Sir, I had hoped my noble Friend the Member for Lynn would have relieved me from the necessity of saying a word on this occasion. I trusted my noble Friend would have taken a course which would at once have put an end to any discussion on the subject before the House. Sir, I am not one of those who, as a general question, are disposed to blame any Member of this House for going back even twenty years to find matter of censure against a Minister — still less if he entertained a strong feeling on the subject. Nor am I prepared to say, that the great differences which have existed in this House on subjects vitally interesting to the country, are not reason and cause enough for the most excited language from Members of

this House against a Minister who they think is proposing measures injurious to the country. But, Sir, the question which the right hon. Baronet has brought before the House to-night is not one of general accusation, or of indiscriminate, vague censure—it is an accusation against him on specific grounds. The right hon. Gentleman told us, and I think he told us truly, that he had been charged, first, with having stated to Lord Liverpool, in 1825, that he thought the Roman Catholic question ought to be settled, and that his opinion was altered on that subject; and that, in the next place, whether he stated so to Lord Liverpool or not, he had, in 1829, made a statement to that effect in this House, thereby laying himself open to the reproach that, if he thought in 1825 that the Roman Catholic question ought to be settled, he should not have opposed Mr. Canning as he did in 1827. But the last and gravest charge of all was, that, as to his speech of 1829, he had been a party to sending a fraud out to the world—a garbled and mutilated report of that speech—and with suppressing the truth on that subject. Now, these are specific charges; whether it were worth the while of the right hon. Baronet to bring them before the House is another question. The hon. Member for Bath seems to think that it was not. I am myself of opinion, with the right hon. Baronet, that he would have suffered in character if he had not brought them forward. And, Sir, having been so brought before me, I must say I am bound in justice to give my opinion, after what my noble Friend has said, and it is, that the right hon. Gentleman has satisfied my mind as to all these points. I believe, in the first place, that in 1825 he stated to Lord Liverpool, that being in a minority in this House on the Irish question, it was not fit or suitable for him to hold his situation, but that he made no declaration or statement to Lord Liverpool as to what his subsequent course would be. I believe, in the next place, that, in 1829, in stating his measure to the House, he did state what had happened in 1825, and that he did not state that his course was exactly similar in 1828, because he went on to say that, in addition to what he had done in 1825, he had stated to the Duke of Wellington that he was now ready to lend his aid as a private Member of Parliament towards the settlement of the question. Sir, I admit that, in conning over the debates at the present day, there are some passages, such as the answer to Lord Uxbridge and others, from which you might suppose the right hon. Gentleman to have said that his course in 1828 was similar to his course in 1825; but if you look to other passages in the speeches—to what took place two or three days after, or in the following week, you will see very clearly what the right hon. Gentleman did explain; and I cannot wonder that as a Minister charged with the care of a great question, and having to reply, from day to day, to various attacks, he did not on every occasion state the whole circumstances of the case. With respect, however, to that statement, I must say I do think it is of importance that the right hon. Gentleman should have made the statement he has done, because of what happened to myself in the course of this very year. I was told by a Friend of mine that the right hon. Gentleman had, in 1829, stated what was read from the *Mirror of Parliament* by the hon. Member for Shrewsbury. I said, in reply, that I had not a very perfect recollection of those debates certainly, but that I could not remember the right hon. Baronet to have said any thing of the kind. The *Mirror of Parliament* was shown to me. It did produce some impression, and I thought that a publication like the *Mirror* was more likely to be accurate than my recollection. I am glad on that account that the right hon. Gentleman has had the opportunity of making this statement, because it was natural that persons wishing really to know the truth, should have been misled by so positive a report in the *Mirror*, if they should not think it necessary to refer to four newspapers for a different report. But, Sir, lastly, the right hon. Gentleman has shown, as to the report which he saw and corrected for *Hansard*, that it is more conformable to four at least out of five of the newspapers of the day which reported the speech the following morning, more conformable to his whole statement, and to all the documents which remain on the subject. Therefore, Sir, I have no hesitation whatever in stating my opinion that the right hon. Gentleman is not guilty of that which, had he been guilty of it, would have been a flagrant offence; and that he has completely justified himself. Sir, having said this, I must add, that I think these questions are entirely different from any which my noble Friend the Member for Lynn, or others, can raise as to the political conduct of the right hon. Gentleman. As to his opposition to Mr. Canning in

1827, I have myself a strong opinion, but my opinion is not now in question. As to the general political conduct of the right hon. Gentleman, I agree with the hon. Member for Bath in thinking that he has rendered great service to his country in taking the part he has taken on this occasion; but, at the same time, I cannot with that hon. Gentleman express surprise or wonder at any warmth or vindictive feeling being directed against the right hon. Gentleman, because the right hon. Gentleman in his political career has done that which perhaps has never happened to so eminent a man before. He has twice changed his opinion on the greatest political questions of his day. Once when the Protestant Church was to be defended and the Protestant Constitution rescued from the assaults of the Roman Catholics, which it was said would ruin it, the right hon. Gentleman undertook to lead the defence. Again, the Corn Laws were powerfully attacked in this House and out of it. He took the lead of his party to resist a change and to defend protection. I think, on both occasions, he has come to a wise conclusion, and to a decision most beneficial to his country; first, when he repealed the Roman Catholic disabilities, and secondly, when he abolished protection. But that those who had followed him—men that had committed themselves to these questions, on the faith of his political wisdom—on the faith of his sagacity, led by the great eloquence and ability he displayed in debate—that when they found he had changed his opinions and proposed measures different from those on the faith of which they had followed him—that they should exhibit warmth and resentment was not only natural, but I should have been surprised if they had not displayed it; and I certainly should have a lower opinion of his sagacity than I have, unless I thought he must have been prepared for vindictiveness of this sort. Sir, I have said these few words, because I am happy to find, though I cannot say I have much doubt on the matter before the House, that whatever political differences there may be—whatever may be said against a Minister, whether in the language of Mr. Fox, or in any other language in which Ministers are assailed in this free country, be it as warm and impassioned as it may be—I am most happy to find, I repeat, that charges which I do think would, if they had been true, have affected his public honour, have been found so totally baseless and unfounded.

Mr. DISRAELI: I am not desirous of availing myself of the privilege to which from the manner in which this question is again brought before the House, I am entitled to abuse its indulgence. I shall confine myself to the statement of facts, and to an examination of the allegations in answer to them; and I will scarcely even argue on them, but indicate only the inferences which to my own mind it seems impossible should not be accepted, and on which the House will decide. I need hardly notice what has fallen from the hon. Member for Bath. There will, no doubt, be other opportunities; and we all know he never prepares his speeches. The hon. Member seems much disturbed by what he called the vituperation indulged in by myself and my noble Friend towards the right hon. Baronet. It is not for me to suppose what has been the effect of it; but this I can say, that however inconvenient it may have been to the Minister, it can scarcely have been so nauseous as the panegyric of the hon. Member for Bath. The hon. Member says I was once a Radical; and he says he is a Radical too; but if he be a Radical, it is impossible that I could have been one. I will leave him in the hands of those presumptuous and ignorant youths to whom he referred in language so decorous and parliamentary. This only I will say, that I know enough of them to be sure that, if they were placed in contact with the hon. Member, whether morally, intellectually, or physically, they would be able to give a very good account of themselves. I will now, Sir, endeavour to address myself to the matter before the House, with a view sincerely and anxiously to place the matter fairly before the House. There runs through the speech of the right hon. Baronet a remarkable but consistent fallacy. He says that we who have made this charge have been hunting out extracts from journals and newspapers in order to prove it. The case is exactly the reverse. The charge was made against the right hon. Baronet without any reference to journals and newspapers; and it was he who appealed to the records of Parliament, and said this is what I said in 1827, and this is what I said in 1829; they are the same, and your charge is groundless. Sir, we did not make the charge on what we found in newspapers. We made it on grounds and on convictions to which I will advert after-

wards. But when the right hon. Gentleman turned round and read his speeches in former years, and defied us to show an expression authorizing our charge, it became a matter of duty and necessity that we also should refer to the documents which he quoted; and we did so, not to make a charge, but accepting the challenge of the right hon. Gentleman. It was our duty too to avail ourselves of any collateral illustration from any source at our command; but before I refer to those authorities which have been quoted, to the reports in the newspapers, in *Hansard*, and the *Mirror of Parliament*, I must make one observation on a point which the right hon. Gentleman treated as almost the head and front of our offence; I mean my quoting the *Edinburgh Review*. Why, Sir, the noble Lord has truly said that the *Edinburgh Review* came to us in this House from Gentleman opposite. It was not wanted for the original charge, or for the main proofs, but was a collateral evidence only; and that article having been stated to be the production of a Member of Parliament, who sat in Parliament when these things were occurring, it was collateral and illustrative evidence of an opinion current in society at the time. Now the right hon. Gentleman has sneered at an expression of mine, when I said that I approached a particular part of the subject with pain. I am not disposed on this occasion to enter into anything but fair argument on the facts before the House; and therefore I am not going to retaliate any sarcasm on the right hon. Baronet. But he has quite misconceived me. When I said that I approached the subject with pain, I was not such a hypocrite as to pretend that if I thought I had a good case against the Minister, or could bring forward what would tell against him, it would give me great pain. What I said was, that the subject of Mr. Canning was one which I could not approach without pain. It is one which hardly any man can approach without pain. The right hon. Gentleman indulged in some insinuations which I do not even notice, but which certainly have not the least foundation. One thing, however, is certain, that whatever may be the various opinions of Members of the House of Commons, they must always find in every thing connected with the career of Mr. Canning much that must repress levity, and rather attune their temper to a more elevated character. I repeat that the right hon. Baronet quite misconceived what was passing in my mind. I now come to the case of Mr. Barrow; and here let me say, that no man in the House can suppose that it was possible for any man to sit in the gallery and report the speeches delivered during a period of four hours. I did not mean, therefore, on a former occasion, that the speeches were all reported by Mr. Barrow himself in the *Mirror of Parliament;* but Mr. Barrow was a man of great intelligence, a very skilful shorthand reporter, and under his auspices the speeches in the *Mirror of Parliament* were prepared by an independent corps of reporters. I know that great pains were taken with that work, though it was not ultimately successful, having to encounter great opposition from the established publication of Mr. Hansard; and I believe it enjoyed but a limited circulation, but certainly it originally was produced by an independent corps of reporters. [Sir R. PEEL: On what authority do you say that?] My authority is Mr. Barrow himself, who told me himself, on a subsequent occasion, that in the first Parliament of the reign of William IV.— [Sir R. PEEL: They must have changed their mode of reporting, then.] That they changed at a subsequent period is possible; and I am anxious to be right with the House on this point. I believe, however, I am strictly correct in saying that this change did not occur until a period subsequent to the debate in question. But supposing that the principal reporters of all the journals met together in council, and gave that which, from their notes and recollection, they believed to be the most accurate version of the speeches, it cannot have escaped the impartial observation of the House that, according to the right hon. Baronet, they yet did make a mistake in one of the most extraordinary statements ever made in the House of Commons? Is such a supposition to be for a moment imagined? I will now relate to the House the circumstances of this entire case as I believe they exist in truth; and in doing so, I must not be stopped by the interference of the hon. Member for Bath, nor the generous interposition of the noble Lord the Member for London. The noble Lord has been so long habituated to the support of the right hon. Gentleman, that though it was supposed he was to be engaged in encounters of a very different kind than those in which he has

this night exhibited, though he was expected to be engaged in a very different warfare this evening; he comes forward, from long habit, and prompted by his generous disposition, to assert that there are no grounds for the charge against the right hon. Gentleman. I will assume, for the sake of argument, that the report which appeared in the *Mirror of Parliament* and in *The Times* newspaper—I do not care whether these were two authorities or only one—but I will assume that the report which declared that the right hon. Gentleman had said in 1829 that he was prepared in 1825 to consent to the settlement of the Catholic question, was a correct declaration, and that the right hon. Gentleman did say so on the occasion stated. I merely assume this, you will observe, for the sake of argument. Now I want to know, independently of that report, if the right hon. Gentleman did make such a statement? Understand me. I assume that he said that; but I don't for the present accept either *The Times* or the *Mirror of Parliament* as proof that he said it. Then what other report is there? Assuming that he said it, I am prepared to produce before the House the fact that a distinguished Member of Parliament replied to that statement. Will the noble Lord still get up, and say there is no room for the charge against the right hon. Gentleman, even with the knowledge of the fact that a distinguished Member of Parliament gets up, and replies to the statement which the noble Lord says the right hon. Gentleman never made? [Sir R. PEEL: The right hon. Member (Sir E. Knatchbull) was not in the House at the time the speech was delivered.] The right hon. Baronet says that Sir E. Knatchbull was not in the House when he made the speech in question. I am prepared to prove that he was in the House; for on that day there was a division, and in the list will be found the name of Sir E. Knatchbull. We have been charged with vituperation in urging this matter before the House. Sir, we have not willingly come before you with this question. It was the right hon. Gentleman who challenged us to this investigation, and we have not employed the language of vituperation. It was indeed with the greatest reluctance that my noble Friend and myself came down to the House to submit this matter to its consideration. The right hon. Gentleman did not allow the original charge to pass. He took a certain time to consider it, and came down with a most deliberate and well-prepared answer. And the right hon. Gentleman accuses me of having made a malignant attack on him, though I only spoke on behalf of my noble Friend (Lord G. Bentinck), who was prevented from replying to the right hon. Gentleman by the forms of the House. But to return. Assume that the right hon. Gentleman did admit that in 1825 he went to Lord Liverpool, and made the statement charged against him, then I bring forward a Member of Parliament who answered that statement, and I will prove that that Member of Parliament was in the House when the statement was made. Then, I am going to quote an authority—not Mr. Barrow—not the collective council made up of the most accomplished reporters on the London press, but a corrected copy of "the speech" of the right hon. Gentleman. The right hon. Baronet said, on March 5th, 1829—

> "In 1828, when the question was brought forward, and when he found himself again in a minority, he had said 'the time is now come when a new Parliament has decided against me, and when the House of Lords are in a state of division upon the question; the time has arrived when an attempt to settle the question must be made, and to that attempt I will lend my aid.'"

According to this, he says he was ready in 1825, in a private capacity, not only not to obstruct a settlement that appeared inevitable, but in 1828 he was ready to give his advice to promote it. Recollect I am quoting from *Hansard*, and we know how correct the reports in *Hansard* are, and how confidently we refer to them. Then, again in answer to the Earl of Uxbridge, we have a speech of the right hon. Gentleman:—

> "To that question he (Sir R. Peel) replied, that there was a material difference in his situation in 1827, and his situation in 1828. In 1827, a new House of Commons decided against concession, but in 1828 it decided in favour of it. He then took the course which he adopted in 1825, when Lord Liverpool was at the head of the Government."

In the next column of *Hansard*, we have this passage, and we read that the right hon. Baronet took that course in 1829, which in his mind he adopted in 1825, when Lord Liverpool was at the head of the Government. The right hon. Baronet said—

> "In 1828, however, the House took a different view of the matter, and though it did not pass a Bill, it agreed to a Resolution favourable to the principle of adjustment. That Resolution being passed, I was again in the situation in which I

had been placed in 1825, and I determined to retire from office. I intimated my fixed intention in this respect to the Duke of Wellington; but I felt it my duty to accompany the intimation with the declaration—not only that I would not, in a private capacity, any longer obstruct a settlement which appeared to me ultimately inevitable, but that I would advise and promote it."

["Oh!" *and cheers.*] It is not the cheers of this side or that side of the House that can alter the truth of this case. We will state that case temperately and firmly. We think it an unanswerable one. But when I come to what is the most important part of the proof, you try to drown the words I am reading with a cheer. The right hon. Gentleman says he was ready in 1825 to take the course he took in 1828; and in 1828 he says the time has arrived when an attempt to settle the question must be made, and to that attempt I will lend my aid. If there be truth in words — if it be true that in 1825 the right hon. Gentleman was prepared to do what he did in 1828 — then the right hon. Gentleman, in 1825, was ready to assist the Government in carrying Catholic Emancipation. I am entitled to maintain that what I assumed as correct for the sake of argument, is true, and for this reason, that on the 5th of March the right hon. Gentleman did use the expression given in *The Times* newspaper; and because, unless he used it, you cannot explain the speech of Sir E. Knatchbull; and, what is more, you cannot explain the speech of the right hon. Gentleman himself. ["No, no!"] It is very well to say "No;" but let the Gentleman that says "No" get up and give facts and arguments in answer to those I have given. We put this case fairly before the House, because we know we are not only speaking to the House, but to the public out of doors; and I wish it to be put without intemperance or passion. If any person can answer my facts or arguments, let him do so; but it is impossible to settle this question by a long statement, however, able such as the right hon. Gentleman has given us. We have it on the high authority of one who knows him well, that no man can dress up a case as well as he can. When the right hon. Gentleman refers to the *Edinburgh Review*, and enters into a minute comparison of all the reports in the newspapers, I naturally ask why does not the right hon. Gentleman explain why Sir E. Knatchbull made that speech? and why on the 5th of March he himself made that statement to which I have adverted? The *Edinburgh Review* insinuates that the right hon. Gentleman wrote a letter to Lord Liverpool; and the right hon. Gentleman says, "I will clear my character in this way; I will bring all the letters Lord Liverpool wrote to me;" and then he complains of such attacks being made on the First Minister of the Crown, and the detriment to public business. But if instead of sending to Drayton Manor, he had sent to Sir E. Knatchbull, to ask if he had made that speech, and then read in this House a letter from Sir E. Knatchbull, denouncing that version of his speech as a forgery, I ask whether that would not have been more satisfactory than the long and elaborate statement he has laid before the House? The right hon. Gentleman says newspapers have been raked in order to get up this charge against him; but the noble Lord did not make this charge on the authority of newspapers, or of any of the printed records of our Parliamentary debates. No one who watches the reports of newspapers—though the most wonderful thing, perhaps, connected with our present state of society, and greatly improved during the last twenty years—no one would found a charge on what appeared in the newspapers. The noble Lord made that charge on what he had heard from the highest authority, from persons who had long been the friends of Mr. Canning, and who were Members of this House when these circumstances occurred—and he expressed it never doubting its truth. And I must remind you that the speech of Sir E. Knatchbull was heard by my noble Friend himself. We are not to expect from a person who speaks from his own experience, that he will look into all the newspapers before he brings forward a charge like this against an individual. He is not bound to do so, but is fairly entitled to make a statement to this House from the convictions of his own experience and of what he has seen and heard. It was not my noble Friend, but the right hon. Gentleman, who brought in the newspapers. We have referred to the newspapers with reluctance, but we have done so with confidence, because it is known that the reporting staff of *The Times* was at that time the most extensive, the most complete, and most authoritative of any of the papers published in London; and we held that in quoting it we had brought forward a sufficient authority. Now I put this case before the House, divested of all *Edinburgh Reviews* and all personal mat-

ters; I put the question before the House, caring little what the feeling of the House may be, and I say so with all respect—whether it is in favour of the person who speaks or the person who has spoken—it is not this House which will decide the question—it is the calm, deliberate judgment of the English public. If the facts I have put before the House can be explained—throwing aside the report of the unfortunate Barrow, who never supposed he would become the hero of a debate—all the anonymous articles in the *Edinburgh Review*, and all the attacks on the right hon. Gentleman—if he can explain to the public why a respectable and influential Member of Parliament should get up in this House, and make a violent speech against him, all proceeding on the assumption that the right hon. Gentleman had a few days before admitted that in 1825 he was ready to settle the Catholic question—if he can explain to the country why such expressions as I have read to the House were used by Sir E. Knatchbull—if he can explain why, in one of his most elaborate speeches he himself positively declared, "That in settling this question, he was prepared, in 1828, to do what he was prepared to do in 1825;" and describes what he was prepared to do in 1828, by positively saying, "He was of opinion the time was come when this question ought to be settled, and that he was prepared to lend his aid to that settlement;"—if he can persuade the public that no such speech as that of Sir E. Knatchbull was ever made—if he can persuade the public that the speeches I have read to you from his own favourite authority, and one of them corrected by his own hand, are of no more value than a copy of the *Arabian Nights Entertainments*—then may the right hon. Gentleman appeal with confidence to the public for a verdict. Till that is done, it will not do to make a speech imputing unworthy motives to his opponents—exercising ingenious argumentation on worthless materials—disowning accusations never made—and putting an end to proof that never was brought forward. This is not what we require. We do not say we have a right to ask anything. Our case is before the House, and we are perfectly satisfied it should remain there. It was not the speeches of Sir E. Knatchbull nor of the right hon. Gentleman that induced my noble Friend to make the statement he did. He spoke from personal memory and from personal experience, and from that in which he has more confidence than even in personal memory or personal experience—from the deep-rooted and growing conviction of society, and especially of the friends and family of Mr. Canning, that the allegation he has made was true—an allegation which has not yet been refuted.

The CHANCELLOR OF THE EXCHEQUER: I think the time has arrived when it is desirable on every ground that the debate should be brought to a close, and therefore I don't rise to reply to the renewed assertions of the hon. Member for Shrewsbury (Mr. Disraeli), or to point out to the House how easy it is, by culling extracts from particular speeches, to give to those paragraphs a representation which the reading of the entire speech would dispel. I have read those debates; I was present during the whole course of those debates; and I rise, therefore, rather as a witness in the cause, than as one about to enter on the argument. I was present at the debates upon the Roman Catholic question, and I have no recollection whatever of any such expression of opinion on the part of Sir E. Knatchbull as that to which the hon. Gentleman referred as a confirmatory circumstance. I know that my non-recollection on this point can avail very little, in comparison with any positive recollection which could be pleaded as to what Sir E. Knatchbull may have said. But I think, considering the interest I took in the subject, that such a statement could not have been made without fixing itself in my memory. But the question is, did my right hon. Friend entertain such an opinion, and was he then prepared to make concessions on the Catholic question? On that point I conceive myself the best witness that can be called upon to give his testimony. I have been from the earliest period of my political life connected with the right hon. Baronet. I sympathized with him in political opinion. I acted in unison with him on every public question. There existed between us the most unreserved communication of sentiments and opinions; and at no time has he taken any important step in politics without my being privy to, and fully acquainted with, the circumstance which regulated his conduct. At the time, too, when these transactions took place, I was Chief Secretary for Ireland, my right hon. Friend being Secretary of State under whose directions I acted. We concerted together the opposition to the Roman Ca-

tholic claims; and, if my right hon. Friend's opinions had undergone the change which is alleged, I should certainly not have been ignorant of the fact. I never heard from my right hon. Friend a single expression to throw a doubt upon the constancy of his opinion, in 1825, that concession on the Roman Catholic question was to be resisted. So much was I surprised when the statement was made by the noble Lord on the first occasion, that I immediately inquired of my right hon. Friend, whs was sitting near me in the House, upon what possible ground a statement so at variance with fact could be made as that which fell from the noble Lord? I rise merely to bear my testimony to the matter of fact. If the testimony of one constantly connected with the right hon. Gentleman in political life, who was a partaker with him in the counsels and struggles of the period more particularly referred to—if that testimony is worth anything, it does altogether put an end to the accusation. Beyond this I should not have thought it necessary to say a word; but the hon. Member for Shrewsbury has thrown out an insinuation, that while my right hon. Friend has produced the letters which he received from Lord Liverpool, he has kept back the letters which he addressed to Lord Liverpool. I am authorized to state, that having made a search for all the letters which could be supposed to bear on the subject, whether addressed by my right hon. Friend to Lord Liverpool, or by Lord Liverpool to him, he has produced all that he has discovered; and that if there had been any letter from my right hon. Friend to Lord Liverpool, that, like the others, would have been produced. We have already had sufficient discussion upon this subject; and, having given my testimony as to the facts, I shall forbear from entering upon it further.

Mr. B. ESCOTT thought the question between the right hon. Gentleman (Sir R. Peel) and the noble Lord (Lord George Bentinck) already disposed of by the unanimous verdict of the House. All, except a few, actuated by party motives, appreciated the justice and truth of the defence; and they all knew it was true the right hon. Gentleman might have served his party more if he had kept them together; but that in serving his party more, he would have served his country less. If the noble Lord the Member for Lynn chose perpetually to attack with his vituperations an humble Member of that House, whose only right to speak was owing to the choice of the people whom the noble Lord accused him of betraying, high and noble as were the noble Lord's birth and station, there was one thing more high and noble, and that was truth. The noble Lord spoke as a constituent of his. How the noble Lord made out that he was so, it were hard to say. [Lord G. Bentinck: I am a constituent of the speaker.] Oh! the noble Lord has got some stables at Stockbridge. There were circumstances which had rendered it advisable that he should appeal to his constituents whether they were or were not satisfied with the course he had taken. A public meeting of his constituents was accordingly called by public advertisement, and every means was taken to make it known in the city that such a meeting was to be held. The meeting was the largest that had ever been convened there. He told them what he had done; a vote of approbation was proposed, and the resolution expressed to support him on account of the exertions he had made in this House. There were in that meeting but three hands held up in opposition to that expression of approval. Would the noble Lord say, or would he not say, that it was a fair way of putting the question, to allege that he (Mr. Escott) had betrayed the people? He agreed with what had been said on the other side of the House, that they never heard of these invectives till the noble Lord and the hon. Member for Shrewsbury (Mr. Disraeli) introduced them; and when it was said the verdict of the people was to be taken upon this question, he begged to tell the hon. Member for Shrewsbury that the people did not look to these personal altercations. What they looked for was this—they looked for having the sugar question settled on the same principles on which they had seen the corn question settled; and if the noble Lord and the hon. Member for Shrewsbury meant to have a verdict from the people in their favour, they must forget discussions upon questions which were raised in that House nineteen years ago. But they would be told that it was they who were impeding the Government in the endeavour to feed the people, and to meet the unparalleled difficulties of the sister kingdom of Ireland. They taunted the Government with the absence of famine at the present moment, when the measures which the noble Lord and his supporters sought to thwart had prevented the famine; but the people would tell the

noble Lord that they looked to other things than petty and paltry squabbles on matters which occurred nineteen years ago, and that they reposed confidence in a Government which had the power as well as the will to meet the exigencies of the times, and to go on in the course they had adopted, perhaps too late—a course which, in spite of all detraction, was, in the opinion of the people, honest, and which was manifestly dictated by an anxiety for the advancement of all classes.

Viscount SANDON must confess that it was with great regret that he had seen the noble Lord the Member for Lynn (Lord G. Bentinck) involve himself in personal controversy. But the manner in which that controversy had been conducted was still more subject for regret. Some hasty words, such as fell from the noble Lord at first, were not much to be wondered at; but it was surprising that he, the head of a great country party, should think he raised the character of his party by picking matter for invective out of old newspapers. Could the noble Lord think that he would raise his own character, or that of the great party he represented, by an attempt to eke out and sustain an accusation, so gross and so degrading if it were true, against a Minister engaged in great political operations, by picking out from reports a piece here and a piece there, now a bit from the *Mirror of Parliament*, when it suited him; then a bit from *Hansard*, when that suited him; then a bit from *The Times*, when that suited him; overlooking all the newspapers that did not suit him; and all to make out a charge which no man ought to bring without being prepared to establish it upon the most clear and indisputable evidence? He would defy these Gentlemen themselves to say they were satisfied that all the evidence was on their side; or that when four reports out of five did not confirm their statement, they could be quite sure they were right. If they still held to their charge, he would appeal to the country, and was quite sure what would be the verdict if any body of gentlemen from the middle classes were required to say, whether they believed the right hon. Baronet had done what he positively denied that he did, and had done even what it was contrary to common sense that he should have done, standing up and avowing that which would have impeached his character for political honesty. Moreover, he must say, that he thought the House ought not to be nicely weighing probabilities and evidence in such a case; when a Minister came down, and expressed his own strong conviction as to what he said nineteen years ago, he believed it was the first time he had been sought to be convicted, in that House, of a falsity, upon evidence, of which, to say the least, men might entertain very different views. He spoke with no bias against the memory of Mr. Canning, but as one of his most ardent friends. He was connected with the Administration of 1827, and when the right hon. Baronet (Sir R. Peel) came in, he declined to serve with him on account of the Catholic question, and because he thought the right hon. Baronet had lent himself to the opposition to Mr. Canning. He must say he saw, with much regret, the course pursued by the right hon. Baronet towards Mr. Canning, but he would not accuse him of this dishonourable conduct. He did think that the right hon. Baronet ought, if he possibly could, to have restrained the language of many persons connected with him, and to have interposed with the weight of his authority to check that persecution; but he did not believe that the right hon. Baronet had two years before announced to Lord Liverpool, that he had changed his opinion upon the Catholic question; and still less, that if so, he should have been weak enough to confess and even boast of it. It was against all probability and against the evidence of four out of five of the witnesses—for these double confirmatory records had disappeared. The hon. Member (Mr. Disraeli) had told the House that it was not merely a casual corroboration, but that he had taken pains to ascertain the independence of those two records; but it now appeared that he had not taken pains, for that if he had he would have found the contrary to be the fact. It seemed, indeed, that the case had excited his interest deeply, that he had got it up and looked about for materials to support it; and it was natural to suppose that having found *The Times* supporting him when he hunted over the newspapers at the Carlton, or wherever he went, he would have looked at the other morning papers to see if they were with him. It was due to the love of justice which he so much professed, that if he really did that, he should have said to the House, "I have found so many papers corroborating me, and so many not doing so." He was no servile follower of the right hon. Baronet; he had sacrificed office—he had refused office; he might have been a Cabinet

Minister—he declined it. He had no resentments to serve, neither had he ever poured fulsome flattery upon the right hon. Baronet; he had taken a straightforward and independent course in the House, without fear of being accused of inconsistency, simply and plainly telling the House his opinions as they were formed, and not sacrificing them either to support a Minister, or to vex an opponent; and he conceived he might claim to be heard as an independent witness. As to what the noble Lord said about appealing to the constituency, he was ready to meet the noble Lord at Liverpool on the question whose course was best for the interests of the country. Even among those who were unfavourable to the change in the Corn Laws, there was a very general opinion that more evil had been done by the noble Lord in his prolonged and inveterate resistance, than by those who, seeing that such a change once propounded by the Minister was sure to be irresistible, acquiesced in it. He had no fear of meeting the noble Lord on any hustings, agricultural or commercial. He hoped the House might now be allowed to proceed to the Order of the Day.

MR. NEWDEGATE trusted he might be allowed, as an independent Member of Parliament, to state what was his verdict on this question. He saw the documents on which the noble Lord founded his statement, before they were produced to the House; and he could not think that any impartial man would have hesitated on such concurrent testimony, not only collected from the individual passages, but from the tenor of the debate, to re-assert the opinion which the noble Lord had formed, particularly when that opinion was justified by means of information obtained at the time of the occurrences, which could scarcely be equalled by that of any other Member. No doubt, the right hon. the Chancellor of the Exchequer was an important witness; but the noble Lord who spoke last had no right to say that this charge had been brought forward on a collection of loose and detached paragraphs in papers. He could not account for the insertion of such a paragraph as that upon which this debate had turned concurrently in two records, and for the pointed allusion to it by a distinguished Member of the House, if there was no foundation at all for it. The paragraph might have misrepresented what the right hon. Baronet said; but there must have been ground for some such statement or representation. The right hon. Baronet adduced strong testimony in the reports of the other journals; but how did he account for the two concurrent publications of the statement? ["They were one and the same."] Then, if they were the same, and if it was a conspiracy on the part of one, how was the subsequent turn of the debate to be accounted for? It might have been an erroneous statement; but looking to all this, with the information accessible to the noble Lord, he (Mr. Newdegate) could not admit that the noble Lord was liable to the imputation of having loosely and groundlessly brought a charge against the right hon. Baronet. If the noble Lord had done so, no one in the House would have viewed his conduct with deeper indignation than himself. If he (Mr. Newdegate) waved the assertion of his own opinion on the subject, it was in deference to the statement of the Chancellor of the Exchequer, for whose character he had much respect.

MR. HUME had witnessed with deep regret the whole course of these attacks on the right hon. Baronet, and particularly the conduct of the party in persevering, notwithstanding the triumphant answer of the right hon. Baronet. How the hon. Gentleman who had just sat down, could deliver the opinion he had, was to him a matter of astonishment. For his own part he (Mr. Hume) was satisfied that what was charged by the noble Lord could not have taken place, because in 1829 when the Duke of Wellington determined to propose Catholic Emancipation, the right hon. Baronet tendered his resignation, and addressed a letter to the Duke, from which it appeared—and it had often been brought forward as a charge — that he carried through the measure, although he had never altered his opinion. He (Mr. Hume) should have hailed with the greatest pleasure at the time any such change of opinion. But only the strongest party motive could induce this perseverance in the attack. Many opponents of the right hon. Baronet must and did consider it inexcusable; after its triumphant refutation, the noble Member for Lynn should have risen and confessed his sorrow for having made the imputation. As a witness to the whole proceeding, he (Mr. Hume) must say that he never understood the right hon. Baronet to have changed his opinion, as was pretended; and that it was so distinctly stated in 1829, when the wish of the Duke of Wellington prevailed.

VISCOUNT MORPETH happened to come

into Parliament during the last year of the services and life of Mr. Canning, and had for him, both publicly and privately, feelings which he could hardly qualify as less than idolatry — such as he had for no other statesman, almost for no other man. With these feelings, he certainly did not sympathize with, on the contrary he viewed with great disapprobation, the course pursued in 1827 by the right hon. Baronet and many of his then political followers. In a discussion shortly afterwards, he gave vent to the keenness of those feelings in as bitter terms as he could find. These feelings made him attend with the more anxiety to all that then took place; and he certainly had no reason for believing, but, on the contrary, every reason for disbelieving, that anything occurred which at all fastened upon the right hon. Baronet the imputation lately levelled against him. He was confirmed in this impression by his distinct recollection of Mr. Canning himself standing up in his place in the House, shortly after the resignations had taken place, and saying in a marked manner, that for the resignation of the right hon. Baronet (Sir R. Peel) he had been fully prepared. After the right hon. Baronet's own statement now, he must do the right hon. Baronet the justice to say that he thought the case attempted to be substantiated against him (his own words were the best to employ) had been "completely shattered." He would only add, that in voting against the measure which the House was shortly to approach, he should feel great regret at giving a vote against the right hon. Baronet at the moment when he had conducted to a triumphant issue perhaps the most important question that ever engaged the attention of the Parliament of this country.

Mr. VILLIERS said, as the character and opinions of Mr. Canning had been most irrelevantly intruded on the debate, he could not help asking the House to consider on which side they thought Mr. Canning would have been arrayed on the real cause of quarrel between the different parties in this House—namely, free trade and monopoly. Why, he did not scruple to assert that the chief reason of that persecution which followed Mr. Canning to the grave, was, that he was known to be favourable to the principles of free trade; and that it was known to every friend of Mr. Canning, to every contemporary, and to every man who was watching public affairs at the time, that the men who were really the enemies of Mr. Canning, who, if any, were the cause of his death, were those who represented the party with whom the noble Lord the Member for Lynn was identified. The hon. Gentleman continued: The noble Lord (Lord G. Bentinck) has talked much of his feeling for his relative; he has proclaimed the sense which he has always felt of the wrong that was done him; and he has traded with the sympathy which he expected from the House in the expression of those feelings on the occasion; and yet there is not a man in this House who knows better than himself that whether he looks to the opinions that he upholds, or the men he is acting with, or the principle which he professes, that he is wholly, completely, and unequivocally identified with the party, the persons, and the principles which were in fact in the bitterest hostility to his relative, for whose memory and principles he would have the House believe he felt such respect and veneration. Yes, with everything that the late Mr. Canning would have spurned, the noble Lord is associated—with every man that persecuted him, he is intimate—to the policy that the whole tenor of his life would make it certain he would repudiate, the noble Lord devotes himself—in fact, to everything that the kindly feeling, the enlightened views, and the just and liberal tendency of his mind, would have rendered dear to Mr. Canning, the noble Lord who intrudes his relative's concerns on the House, is the most opposed, and is doing precisely what Mr. Canning would have been shocked at, and with all his brilliant talent and generous soul would have resisted to the utmost of his power; and yet the business of the House is to be stopped, the feelings of its Members are to be appealed to by the noble Lord on behalf of monopoly and oppression, because the right hon. Gentleman who seeks to relieve the country from both, is alleged to have been, nineteen years ago, the enemy of Mr. Canning. Sir, the hon. Member for Winchester said that the country heard these low personalities which had been engaging the attention of the House for some months past with indifference. Sir, in one sense of the word, that is true; but, Sir, if unmitigated disgust can be construed into interest, it is otherwise: that is what is felt at the proceedings of this House of late. There is one class of persons, however, who will not receive these recent statements about the right hon. Gentleman without interest—I mean the farmers of

the country. They will read the abuse of the right hon. Gentleman, and they will examine the grounds on which is founded the present mistrust of him; and they will see that it rests on facts of nineteen or twenty years' date. They then will turn upon honourable Gentlemen opposite, and say, "Why you had reason to mistrust this man in your pockets. When you came to us and told us to trust him, we saw you turn out the noble Lord the Member for London, because you said he was not our friend; and you told us to support the right hon. Gentleman because he was our friend. You told us we ought to trust him, and yet you had about you the means of putting us on our guard, for it seems your charge against him now is, that he was utterly untrustworthy nineteen years ago. What are we to think of your eternal care about the British yeoman? What are we to think of your solicitude about native industry, if we see now that the man for whom you told us to sacrifice our fortunes and our principles, you yourselves distrusted, and had every reason for expecting that he would abandon the protection on which we were induced to pay you highly for our land?" This is the language they will hold, if Gentlemen opposite begin to sentimentalize with them about treachery, and all the horrible things that are said to have befallen them. "Here is the real treachery, duplicity, and perfidy (words the most choice in the vocabulary opposite), will they say; and with justice will they, probably, reject those at the future election who hope to entrap the British yeomen by the sort of language that has been lately held within this House. They knew, it seems, that the right hon. Gentleman would abandon protection, when they told them to cast out the noble Lord the Member for London, and elect the right hon. Gentleman in his place as the stanch Friend of that principle. But the noble Lord the Member for Lynn has sought to save himself to-night by saying that he was not a follower of the right hon. Baronet, but of the noble Lord the late Member for Lancashire, and now a Peer. Why was this? Can anything be so small and paltry as this? What! a follower of the noble Lord, who is a Colleague of the right hon. Baronet, and who submits to follow the right hon. Baronet, and to be bound by his policy, to be instructed in his course by him, to submit his judgment to that of the right hon. Baronet, to acknowledge him, in the fullest sense of the term, a leader; and yet the noble Lord pretends to be so innocent as to suppose, because he calls himself a follower of Lord Stanley, who followed the right hon. Baronet, he is not a follower of the right hon. Baronet, whose enemies were Lord Stanley's enemies, and whom the noble Lord was therefore obliged blindly to oppose. Why, was there ever such quibbling, and such a way of escaping from the charge of associating himself with the enemies of his relative, whose memory he has brought before the House? And now, Sir, I should like to ask what right the noble Lord had to assume the privilege of criticising other men's conduct, because he was the follower of that noble Lord? That noble Lord is not exactly a pattern of consistency, of attachment to party, or regard to principle. Why, Sir, when I first came into Parliament, not disposed myself to be critical about men's conduct, to my astonishment, I observed the noble Lord (Lord Stanley) was the subject of constant reproach and jeering in this House, for having deserted his party and his principles. The thing that struck me most was, the noble Lord going through the form of sitting with the Liberals, and being obliged to pass over to the other side whenever he had to vote. It was a regular thing; the noble Lord was then marking to the House the party to which he had been attached, to which he was bound by principle and old connexion; and the new party, and the new principles, to which he had allied himself. It became so distressing at last, that the noble Lord was compelled at once to pass over to the party to which he had ever been opposed, identifying himself with them; and ready to take office with them whenever they were able sufficiently to injure and discredit his natural friends and allies. Why, Sir, it was the joke of the day that the noble Lord could get nobody to follow him as a party in his crooked and faithless course; and till the noble Lord announced it to-night, I did not know that he had had one follower bold enough to incur the obloquy which it had brought upon him. The noble Lord tells us to-night that he was the follower of the most notorious deserter of his party that was known in that day; and do not let it be said that I am charging the noble Lord wrongfully, or that I am leaving it open to him to say that the party deserted him; for it is no secret that no other Member of that noble House to which he belongs

changed. No! His noble father (the Earl of Derby) remained attached to the principles of his life, his family, his party, and has, I am told, actually voted for the very measure which the noble Lord the Member for Lynn would make the touchstone of honour in opposing. He has voted as every liberal-minded politician would vote—for the abolition of the Corn Laws; but the noble Lord sets himself up as a critic upon every other man's conduct, because it appears to-night that he is the single follower of this noble Lord. Well, but considering the extraordinary assumption of superior purity by the noble Lord, was there ever anything so unlucky as this very question of the Corn Laws on which to rest his battery upon the rest of mankind? Why, it seems, after all the pledges which we hear were given for the maintenance of protection at the election of 1841, it is this very noble Peer that was the great and striking innovator of it, and against whose measure there was greater violence, more obloquy heaped upon its author, than upon any other person or measure which has since been attacked. Yes, it was the Canada Corn Bill, as it was called, purporting to let in all the surplus grain from the United States, that occasioned more alarm, excited more mistrust, elicited more vehement alarm for abandonment of principle, than any Act that was drawn up to the repeal of the Corn Law itself. And I declare, having read and heard much of the protection violence and bitterness of speech, there is nothing that I have read or heard since, that has at all surpassed what was addressed to the authors of the Canada Corn Bill; and if there was reason at all in the attack on the authors of the change on that side, I am bound to say it was as well deserved as it has been on anything that has been done since. Why, the hon. Member for Warwickshire, if I am not mistaken, is at this moment pledged to move for the repeal of that Act, as fatal to the protection of British agriculture. [Mr. NEWDEGATE: I am not pledged.] Well, if the hon. Member is not pledged to repeal it, I will almost venture to pledge myself to prove that he made a strong speech against it, and that he was present when some other Member of this House did pledge himself to procure its repeal. [*Cries of* "Where?"] Where? why, at the Freemasons' Tavern two years ago, when native agriculture dined there, for the avowed purpose of denouncing the free-trade measures of the right hon. Gentleman. For it was then that hon. Members knew perfectly well that the Government were proceeding in a course of free trade that must end in an abolition of the most obnoxious restrictions that existed. Again, if the noble Lord wants to know why it is that nothing that he or his party says excites any interest in this House or in the country, it is because he, knowing perfectly well what was the tendency of the measures of the Government, observing that he was assailing protection in every outskirt, and wherever he could do it safely, never raised his voice — never took the slightest heed of it; but regularly supported, and thereby encouraged, the Minister in his course. No! what the people now say is this: so long as the interest is small —so long as the interest was not your own — so long as the Government got strength by demolishing our protection, you were silent; you said not a word. Protection, they said, is valuable to us, if it is to exist at all, and, as much as it was to you; but while it was only abolished with respect to hats, and to corks, and to shoes, you have been benefited yourselves, and you cared nothing about the people who had to undergo temporary privation; but now that you are afraid of your own order, of your own interest, that rents may fall, that the least injury may befall yourselves, then you discover that the Minister is a traitor—then you complain of his conduct to Mr. Canning; this is the occasion for five months unceasing personality and invective. When the poor are to go to the wall, he is the only man, he is the man to rally round; but let him equally assail the great and the small, and then we have the history of this Session. The people are just and wise in this country; they see that all this violence and resistance is sordid and selfish, and they will have nothing to say to it—they wait with anxiety for its accomplishment. They see nothing chivalrous or generous in the party who are obstructing the legislation of the country on this subject. There are on the opposite side men who have been consistent on this subject; men like the hon. Members for Dorsetshire, and Somersetshire, and Northamptonshire. They have raised their voices constantly, and long have they said that protection was being abandoned; and they have complained of being deceived for three years past, and were treated by many, who now profess to be wronged, as factious troublesome men,

who could not enter into the enlightened views of the right hon. Gentleman. They were neither encouraged nor assisted; but now, when the horse is gone—when the thing called protection is lost—comes the noble Lord with all his abuse and invective, and shuts the doors, never having done a thing or said a word in time to avert the evil, as he deems it. The noble Lord had nothing to say against the principle that has triumphed; he slumbered while it was progressing; he has been off his guard while vigilance was required; and now, when opinion is pronounced, he disturbs the peace and good manners of this House by his violent and personal charges. The noble Lord has not a leg to stand upon. He is too late, and has nothing to say. He should, moreover, in decency, consider, when he and his Friends the Member for Evesham and Member for Shrewsbury pretend to represent the landed interest, what is the proportion of interest among those who attack this measure, compared with those who support it. Why, though it is asserted to be injurious to the landed interest, I firmly believe that those who support it, are greater proprietors than those who oppose it. Look at those three Members that I have mentioned. I never heard that the noble Lord and the Members for Evesham and Shrewsbury were great territorial proprietors. [*Cries of* "Oh, oh!"] Oh! it is not right, is it, to refer to the circumstances of Members who engage in this discussion? How comes it, then, that in that speech which the noble Lord wrote out for the *Morning Post*, that he says that my object for repealing the Corn Laws is that I have got a sinecure, and want to live cheap on the taxes imposed on the people? I never said anything personal in my life to the noble Lord; yet, in his lavish use of personality, he could not help uttering this, as he thought, to my disadvantage, utterly untrue as it is, and not the least pertinent to the question. I have no sinecure, and never had one, and never was paid in my life out of the taxes of the country. [An hon. MEMBER: What is your place, then?] That is my business, and not yours. If you say I have a sinecure, I say it is untrue; and if you mean it as a charge against me, it is your business to prove it, not mine to satisfy your curiosity. I do not want to be personal. It is you who are so, and have no other argument; and I can tell you that the House is getting sick of it; it has been borne too long; and if the House is not impatient of it, I tell you that the constituencies are, and that the public is. ["Oh, oh!"] Oh! why, I tell you that these personalities that are bandied about here are thought discreditable to those who use them, degrading to the House that listens to them, and disgusting to the public obliged to notice them; and knowing, as I do, the deep debt of gratitude which is felt by the public to the right hon. Gentleman for having accomplished what no other man could have accomplished as well; for having conferred so inestimable a benefit on the public by repealing the odious monopoly in food, my only reason for not feeling regret at the insults, the abuse, and the contumely with which he is treated by those invariably hostile to the interests of the people, is, that I know that nothing is more calculated than their malignity to exalt him and endear him to the country.

MR. STAFFORD O'BRIEN said, the hon. Gentleman who had last spoken had sought to vindicate the right hon. Baronet from the charge brought against him, with great truth, of having unwisely, and to the disadvantage of his party, changed his opinions as to the system of protection. The hon. Gentleman then proceeded to make a severe attack on a noble Lord (Lord Stanley) who was not in that House to defend himself; had he been, he would have needed no one to stand up in his defence; no one knew better how to justify himself, or to repay with interest the attacks of the hon. Gentleman. The gravamen of the charge of the hon. Gentleman against the noble Lord was, not his consistency, but his inconsistency—an inconsistency which had assisted in advancing the cause the hon. Gentleman had so much at heart. He had attacked the noble Lord, not so much for having been the persevering, unflinching friend of protection, but because he had so far swerved from the principle as to have introduced the Canada Corn Bill. In one part of his speech he had attacked the noble Lord for his inconsistency, and in another had exculpated the right hon. Baronet from the same charge. He understood the hon. Member to say that the opposition Mr. Canning met with in the latter part of his life, did not all arise from his support of Catholic emancipation, but from his endeavours to promote free trade. The noble Lord the Member for Liverpool, the Member for Winchester, and the Member for Wolverhampton, had all charged those who opposed the

free-trade measures of the Government with having unnecessarily prolonged the discussion on them. The delay the measures now experienced could not be charged upon that House, nor had the delay here been in itself vexatious, inconsistent with its character as a deliberative assembly, and the magnitude of the measures themselves; nor was the impression the discussion had made on the public mind unimportant. At the beginning of the Session, they found themselves disorganized as a party by the desertion of those who had before led them. It was not consistent with their character as a public assembly blindly to follow public opinion, and permit changes of such magnitude to pass without discussion; and, however the country agreed or disagreed with them, it would not consider they had thrown vexatious opposition in the way of the measure. Whether for good or evil, it had passed that House, and awaited its decision elsewhere; whatever its effect might be, whatever they might be called on hereafter to alter or confirm, he should never regret the opposition they had made to it. He was borne out in this opinion by the right hon. Baronet, who had more than once stated, not that their opinions were just, but that their opposition was neither frivolous nor vexatious. With regard to the hon. Gentleman's office, whether it was a sinecure or whether it was not, he would say nothing but this—if the hon. Gentleman thought that personalities were of little interest, he should not subsequently have rendered his speech discordant with itself by introducing them.

Mr. VILLIERS repeated that the opposition of the great landed aristocracy to Mr. Canning, sprang from his advocacy of free-trade principles during the last three years of his life, and not from his support of the Catholic claims alone.

Mr. BORTHWICK said, that in however humble a position he might stand, he could not think that even his dignity, however small, would be added to by mingling in the squabbles which he had witnessed that night. He rose, therefore, not to continue the present discussion, but to tender his thanks to the hon. Gentleman opposite for exempting him from the sordid motives which he had imputed to others; but he could not accept the compliment, for if his domains were as broad as the hon. Gentleman's—if his acres were as numerous, and his rents as large—he should nevertheless have pursued the same course he had adopted, notwithstanding the sneers to which he would then have been subjected. He might add, that even if, like the hon. Gentleman, he had, by the favour of His Sovereign or her predecessors, enjoyed a fixed income from the public revenue, which would be increased in value by the measure of Her Majesty's Government, he should, notwithstanding, have opposed those measures, because he should have felt, though advantageous to him, they would prove disadvantageous to the country.

The Order of the Day for the second reading of the Protection of Life (Ireland) Bill was read, and the debate again adjourned till Monday next.

CHURCHES BILL.

Mr. HODGSON moved the Second Reading of the Churches Bill. In the present state of the law, no power existed to make a church rate, except for the repair of the old churches; and each parish could only be charged for the maintenance and repair of its own church; so that where two or three parishes had been formed into an ecclesiastical district, having only one church, a rate could only be made in the parish where the church was situated. In cases where funds had been left for the building or repair of churches, the funds of one parish in a consolidated district could not be applied to repair the church of another parish. In order to remedy these anomalies, he had introduced the present Bill; and he proposed that, for ecclesiastical purposes, the consolidated districts should constitute one parish. He did not intend to interfere, in any manner, with the rating for the relief of the poor; but the Bill merely gave power to churchwardens, in the consolidated parishes, to equalize the church rates. He was ready, in Clauses 3 and 4, to strike out the word "overseers" wherever it had been inserted.

Mr. HENLEY said, that if this Bill introduced no new mode or power of levying church rates with regard to the new ecclesiastical districts, beyond that which now existed, and if it did not interfere with the poor rates, he would not oppose it.

Mr. HUME objected to the measure on the ground that thirteen Church Building Acts were recited in the preamble, which were neither repealed nor re-enacted, and that the Bill would enable three-fourths of the inhabitants of a district to sanction a rate for building or repairing churches, though the remaining one-fourth of the

inhabitants might be opposed to it. He moved that the Bill be read a second time that day three months.

SIR H. ELPHINSTONE said, the object of the Bill was simply to consolidate ecclesiastical districts, and to place them in the same position with other parishes in this country. He admitted that funds for repairing churches were at present raised under a very bad system; and if the hon. Member for Montrose would bring forward a measure for the abolition of church rates, he would support it. But he considered that as long as they had an Established Church, they should provide for its repairs; and certainly such an alteration of the law as was proposed by this Bill, with regard to the new ecclesiastical districts, was necessary.

SIR J. GRAHAM said, that his attention had not previously been called to the Bill. It appeared to him to have three objects, the first of which was already effected by the existing law. He was not aware that the measure proposed to remedy any specific grievance, or to meet any complaint. If there had been ground for complaint, such complaint might have been brought before the Ecclesiastical Commissioners. He should only, in addition, observe that the Bill did not carry the power of building churches any further than the existing law went. Upon the whole, he recommended that the Bill should be altered, so as merely to effect that which was really necessary.

After a brief conversation, the question on the second reading was put and negatived, and the Bill put off for three months.

CLERKS OF THE PEACE (IRELAND) BILL.

The EARL of LINCOLN moved for leave to bring in a Bill to provide that the office of Clerk of the Peace and Clerk of the Crown in Ireland be hereafter filled by the same person. On the ground of economy the Bill had its recommendations, and it would ensure to the counties of Ireland more efficient officers than obtained under the present system. The Custos Rotulorum at present appointed the clerks of the peace; the present Bill proposed that the nomination to both offices should be in the Government. He did not propose to consolidate the two offices, though he proposed that they should both be held by the same person.

SIR R. FERGUSON wished to know if the Bill required that the officer to be appointed should be necessarily resident?

The EARL of LINCOLN: Yes.

VISCOUNT CLEMENTS complained of the whole system under which public prosecutions were carried on in Ireland. Gentlemen totally inefficient to discharge their duties were placed by the Crown in the offices, and assumed the title of Counsel for the Crown and Solicitors to the Crown.

Leave given.

PUBLIC BATHS AND WASHHOUSES.

SIR G. GREY moved for leave to bring in a Bill for promoting the voluntary establishment in boroughs and parishes in England and Wales of public baths and washhouses. The object of this Bill was intimately connected with the comfort, and indeed, with the health of a large portion of the working population, particularly those residing in large towns. Institutions of this kind had been established by voluntary subscription in one or two places, and the greatest desire was expressed to participate in the advantages they afforded. He might take Liverpool as an instance, where the plan had been brought into operation, and where, although a low rate of charge was made, it became self-supporting. The object of this Bill was to enable parishes, where there was a desire to have an institution of this kind, to obtain the first cost of the building out of the poor rate, and for this purpose to borrow money, which was to be paid off in a certain number of years. The Bill gave a purely permissive power to parishes and town councils, authorizing them to raise money, or borrow it for the purpose, if they wished to carry out the object of the Bill. He hoped the House would allow the Bill to be brought in. The merits of the measure might be discussed afterwards.

Leave given.

House adjourned at a quarter past Twelve o'clock.

HOUSE OF LORDS,

Monday, June 22, 1846.

MINUTES.] PUBLIC BILLS.—3ª and passed. Explosive Substances.

PETITIONS PRESENTED. By the Duke of Richmond, and the Bishop of Hereford, from Froxfield and Hereford, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—From Llanfynydd, praying that Measures may be taken for promoting the Cause of Education in Wales, and also for Pecuniary Aid from the Government.—From Glasgow, and other places, praying that a Bill may be passed compensating the Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).

CORN IMPORTATION BILL.

LORD ASHBURTON rose, pursuant to notice, to move the following Resolution:—

"That, whatever may be the Alterations which it may be expedient permanently to make in the Laws regulating the Introduction of Foreign Corn, it is the Opinion of this House that the sudden Admission of the large Quantity of Wheat and Wheat Flour now in Bond at a very low Rate of Duty, while the Prices are moderate, and the Prospect of the approaching Harvest is promising, may be productive of great Injury and Injustice to the Cultivators of the Soil of the United Kingdom; and that some better Provision against such a Calamity should be provided than is contained in the Bill now before the House."

The noble Lord said that he was not about to ask their Lordships to enter into the general question, which had been so often argued, as to the policy of the great change now in progress in our commercial laws, and also in the law relating to the duty on corn. The whole question had been deliberately discussed; and their Lordships had decided against two Amendments that had been moved, by very nearly the same majority in each case. Therefore he felt that if he were again to call on them to enter into the general subject, he would be giving them unnecessary trouble; though, at the same time, he must admit, that if he thought, by pursuing the matter further, he could change their opinions, he would spare no pains or exertion to induce them to do so. But, presuming that the Government were right in their general policy—presuming that the measure itself was right—he wished to call the attention of the House to the mode in which it was proposed to be carried into effect, to show the want of caution which was manifested in reference to the subject, and to contrast the conduct of the present Government and Parliament in this respect with the conduct of former Governments and Parliaments; he would not say upon similar occasions exactly, because upon no occasion had there ever been before their Lordships a measure of such immense importance as the one now before them. Their Lordships were aware that we had lived under a system of Corn Laws ever since the introduction of civilization into this country, and that now there was to be a total change, an entire abandonment of the system; and the question which he had to propose was, whether, since this was to be the case, some means could not be devised to prevent its immediately effecting the ruin of the great body of the agriculturists of this country? Undoubtedly they were about, in their present course of legislation, to take away the whole of protection—at least at the end of three years—he might even say at once; because the 4*s.* duty was hardly worth taking notice of; and this they were to do suddenly, and without any precautions that it should fall upon different classes without any immediate shock—without any immediate oscillation of prices; and this, too, contrary to the practice of Parliament in former times, and contrary to the dictates of justice and common sense. He begged the House to look at the state of the case. There was at the present moment a large quantity of foreign corn in bond, ready to be introduced into the market immediately upon the passing of this Bill. Suppose the Bill to pass that House at the end of this week, as in all probability it would do, and to receive the Royal Assent on the Monday or Tuesday following, then the whole of the vast quantity of grain would come immediately into market, to the total paralysation of that market, and to the complete stoppage of all commercial operations. There was, at present, an unprecedented amount of grain in bond: he did not know the exact quantity; but sometime ago he knew that there was something like 2,000,000 quarters of wheat. Since that time additional quantities had been pouring into the country from all quarters of the world. The outcry about the anticipated famine had induced everybody connected with the corn trade, whether in the Black Sea, the Baltic, or America, to scrape together everything in the shape of corn for the purpose of pouring it into our market. The noble Lord at the head of the Board of Trade would probably be able to tell the House the total quantity in bond at the present moment. He (Lord Ashburton) would only say, that, judging from what he saw stated in the daily papers, the quantity must be immense. He had observed, for instance, that in the week before last there had been imported into Liverpool no fewer than 56,000 barrels of flour; and that, from the 3rd to the 9th of June, fifty-one ships laden with grain of one description or another had passed the Sound on their way to the various ports in the United Kingdom; thirty-two of these being laden with wheat, five with barley, twelve with oats, and two with peas. Now, that being the state of the case, he begged their Lordships to look to the little chance there was that this immense supply would at all be wanted.

Undoubtedly, if there was a bad harvest —if there was a real deficiency of corn in this country, even this quantity, large as it was, would not be more than might be required, and would not be felt in the price; but if there was a good harvest, which he hoped there would be, then this vast surplus, this load upon the market, so much beyond what was required for consumption, would certainly have a most disastrous effect upon the farmers of this country. During last year, although all other parts of Europe were suffering from want of corn, the prices here were moderate, and the supply regular and steady; and yet the whole amount of corn imported, exclusive of what came from Canada, and which came in under all circumstances, did not amount to more than 80,000 quarters. The average importation for the three preceding years was about 550,000 quarters. Undoubtedly, during some previous years there were large quantities received and wanted. In the years 1839, 1840, 1841, and 1842, the average importation was about 2,400,000; but during the six years ending 1837 it was as low as 104,000 quarters. The quantity at present in bond could not be much short of 2,500,000 quarters; and if the Government must carry out their desperate experiment, they should at least do it with a little more judgment. If we were treating this in a factious manner—as a question affecting Government merely—he would say that the greater the confusion the measure produced the better. If he wished to see the country disgusted with the experiment, he would say, "Give the Government rope enough;" and, certainly, if they did so, they would not come down to the end of the year without the whole country being convinced of the injustice and absurdity of the law. He now wished to call the attention of the House to what former Parliaments and Governments had done when dealing with much smaller quantities of corn than they had to deal with at present. Former Parliaments and Governments proceeded with great caution. On one occasion, in 1822, when an Act was passed, not to take away protection, but merely to mitigate it, so careful was Mr. Huskisson to prevent the evil consequences which would arise from a large supply of grain being suddenly thrown upon the market, that he caused it to be enacted that the importation of foreign corn should be restricted until prices reached a certain amount. On another occasion, in 1826, when there were only 400,000 quarters of wheat in bond—only one-fifth of the quantity at present in bond—so careful was the Government to prevent any violent oscillation of prices by its introduction, that they made a regulation to let one-third of it in every three months, and also securing a duty of 10*s.* per quarter. These were the precautions which were taken by a former Government when dealing with cases of much less importance than the one which the present Government was dealing with, without adopting any precautions whatever. Was there any difficulty in making some arrangement of the same description in this case? The Government displayed a great amount of feeling for the parties who were shippers of corn; but very little for the people in this country who would be ruined by the inundation of corn which would take place. The resolution he proposed was simply a precautionary measure. On the facts of the case it appeared, that if they let in so great a quantity of corn at once, they would be exposing the country to great and unnecessary risk; therefore he thought their Lordships would not be justified in passing a measure of this kind, regardless of the interests of the persons concerned. He was sensible of the peculiar situation in which the country stood, with one party on the point of going out, and another party ready to step in; but still he could not forbear taking that opportunity of pressing on their Lordships the paramount necessity of legislating on this occasion with prudence and justice. He had wished to go further into the question than the facts he had stated; he had not aimed at inducing their Lordships to retrace their steps—would to God he could do that!—but he wished to press on their Lordships whether they ought not to interfere so as to conduct this experiment in a better mode than that in which it was at present proposed to conduct it.

The EARL of DALHOUSIE should abstain, as the noble Lord had done, from entering into the general question, and confine himself strictly to the particular proposition before their Lordships. The noble Lord's speech was dark with alarm and fruitful with prophecy; but any address more at variance with facts and more unsupported by argument it had not been his fortune to hear in that House. His noble Friend endeavoured to convince them that there was now in bond in this country, and likely to be in bond, some enormous

and unheard-of amount of foreign corn. It required no great knowledge to have accurate information on this point; but his noble Friend, from not having sufficient information, had greatly exaggerated the amount in stating it at 2,500,000 quarters. By the latest returns transmitted from the Custom-house, the amount certainly did not reach, in wheat and wheat-flour together, 1,900,000 quarters; and so far from any likelihood of its being unduly increased, as far as the information of Government went, the very reverse was the case. From every quarter of the world the same accounts which reached Government during the autumn of last year relative to the expected deficiency in the then approaching harvest, which were afterwards realized by the result, were again arriving. Both this year, and last year, nature seemed to be setting her various elements in conspiracy against us. What he meant was this: it had been repeatedly asserted that there never could be a general deficiency of crops, for that the overflowing harvests of one part of Europe were sure to compensate for the bad crops of the other parts; but in this instance nature herself seemed to have put the elements into conspiracy to deprive us of supplies from all the various sources from whence we could expect to derive them. In the north of Europe there was an alarming deficiency of corn, from the superabundance of wet; in the south there was an equal or greater deficiency, from the ravages of the grub. It was notorious to all the readers of newspapers, and confirmed by the information which reached Government on all sides, that in Poland and the corn-producing countries of the north of Europe, the people were now in a state, not of want or scarcity merely, but of starvation. It was an equally notorious fact, established, if not by the newspapers, at least by the official information received by Ministers, that in the south of Europe, and in Anatolia, which produced a considerable quantity of corn, they were dying by the road sides. Therefore, if it were a point of importance to have an abundant supply of food, he was justified in repeating that nature was setting herself in array against us, to afflict us with a deficiency. The noble Lord had endeavoured to lead their Lordships to suppose that under the new law, even if matters did not go farther than they were now, there was a quantity of corn in this country which would be brought into the market such as had never been heard of before; and he had directed their attention to the three years 1843, 1844, and 1845, to show the small quantity introduced at that time. Why his noble Friend took those three years, and stopped there, he knew not, unless it were because *numero Deus impare gaudet*. Would the House permit him to state one or two other years immediately preceding those years? In 1844 there were 400,000 quarters; in 1843, 814,000 quarters; but whereas there were now in bond 1,900,000 quarters of wheat and wheat flour, there were admitted in four weeks of 1842, under the law which at present existed, 2,180,000 quarters, varying from 64*s.* to 61*s.* 7*d.* In 1841, again, there were admitted 2,017,000 quarters. So much with respect to the quantity about to be introduced, and the proportion it bore to the amount introduced in former years. But he denied that Her Majesty's Ministers were open to the imputations cast upon them by the noble Lord, or that they deserved to be blamed for any want of precaution. When his noble Friend said that Government were proceeding indiscreetly, and that something or other should be done which would let this immense amount of corn into the market gradually, he had forgotten that Government did make such an attempt, not last week or the week before, but more than a quarter of a year ago, when the quantity of corn in bond was considerably less than now. The right hon. Baronet at the head of the Government then proposed that the same rule should be applied to ensure a gradual admission of the corn as was customarily applied in the case of merchandise and of other articles in bond; their Lordships were aware that it was the invariable practice, on the passing of a resolution for making an alteration of duty in the other House of Parliament, that a Treasury Order was issued, by which goods were permitted to be taken out at the reduced duty, bond being given by the importers for the payment of the difference between the duty paid at the time of sale and the old duty, if the measure should not pass. In answer to a question put to him, his right hon. Friend the First Lord of the Treasury stated that it was his intention to apply that rule to corn as well as to other articles imported. To this declaration great exceptions were taken, and strong objections made, on constitutional as well as other grounds. His right hon. Friend,

therefore, at once withdrew the proposal; and the noble Lord, the late Secretary for the Colonies, in his speech the other night gave him credit for having done so. He said, therefore, that things had taken the course which his noble Friend now blamed them for having neglected; and it was only in deference to precedent, and the manifestation of sentiment in that and the other House, that the proposal was withdrawn. He must say, therefore, that it was wholly incorrect to say that the Government had been inconsiderate with respect to the gradual working of the measure. With regard to the resolution now moved, he should endeavour to persuade their Lordships not to agree to it, because he believed it to be unjust in principle; and so far from having a beneficial effect, that it would be most injurious in its operation to those whom it was intended to benefit. His noble Friend helped them to no solution of the difficulty he presented to them; and he had a right to ask his noble Friend how he would propose to deal with this question? The resolution declared that corn in bond should not be admitted except on some other terms than at present. What were those terms to be? If they affirmed the resolution as it stood, they would attempt a most glaring act of injustice towards those who were possessors of the stock in bond. The corn now in bond would be dealt with in one way, while the corn which arrived next week would escape the resolution, and be admitted as provided by the new Bill. His noble Friend had altered the resolution, which, as it at first stood, was a mercantile monster in phraseology, for it talked of the "importation" of corn in bond. The resolution as it now stood ran, "that the sudden admission of the large amount of wheat now in bond," &c. Now, at whatever point the noble Lord would propose to introduce a check, a line of distinction would be established, and great injustice done to those on the one side as compared with those on the other. It was a matter palpable and glaring to all, that the resolution was directly in the teeth of the warehousing system. They had taken great pains to establish that system; and on the very first occasion of its coming into active operation, would they consent to inflict a discouragement on it by a measure of encouragement to the foreign dealer? This proposal would place corn in bond at a disadvantage, as compared with that lying in warehouses on the other side of the water. If the noble Lord proposed to admit no corn till the price reached 60*s.*, which was probably what he intended, this was neither a fixed duty nor a sliding-scale, but absolute prohibition; and every Member who had ever voted to admit corn upon any terms, must vote against it, to be consistent. The resolution, as regarded those who had lately imported corn, would be an *ex post facto* law of the most unjust kind; for while, by the law of 1842, the holders might bring it into market at whatever price they thought fit, if it were for their interest, this resolution would interdict them till corn should reach the certain fixed price of 60*s.* They would therefore, if they adopted this resolution, be departing from the law of 1842, as well as from the principle of the warehousing system, and from the principles that ought to guide commercial transactions generally. There was no resemblance between the case of 1826 and the present; in that year a large quantity was admitted to meet a prospect of scarcity, admission being prohibited till the corn reached a very high price. He submitted, also, that they would not be doing a favour to those in whose favour this resolution was intended to operate. He asserted, on the authority of those who were practically acquainted with the subject, that whatever effect might be exercised by the amount of corn now in bond on the price of the article, that effect had been produced long since. To every man engaged in those transactions, it was notorious that the whole of the transactions in the corn trade, external and internal, had been carried on with reference to the stock in bond. It was said, and in his opinion with much truth, that in mercantile matters, if you desired to make a change, it should be effected at once and with as much completeness as possible; and he very much doubted whether the most expedient course would not be that the change in the duties on corn should be made at once; but you could not deal with those matters on their merits alone, and while it might have been more beneficial to admit the full supply at once, yet looking to the possibility of exciting fears, and a recurrence to the panic of 1842, he believed it was better to abstain from a sudden alteration, and allow the abolition of duties to come into gradual operation. He was most sincerely convinced that the very worst thing you could do for those likely to be affected by the change would be to hang up the matter in suspense; a

suspension of supply was infinitely more mischievous than the admission of any supply, however abundant. To give an instance of the effects to which he alluded, he would refer to what had occurred in the silk trade. When the duties were reduced there had been general apprehensions of an over-supply; the prices consequently fell exceedingly low. But subsequently, when the supply actually had come in, the prices rose, inasmuch as all the mischief which could be done had been effected before its arrival. He had no doubt but that the same result would be produced in regard to the Corn Bill. The present resolution, if approved of by their Lordships, would inflict a great injustice on the dealers in corn, and would not only have an injurious effect on them, but would utterly fail, as he maintained, to produce that benefit to the cultivators of the soil which the noble Lord intended it should effect. All the transactions in corn which had produced the present prices, had been carried on on the understanding that this Bill would pass into a law. For these reasons—because he believed the full effect of the expected supply had been already produced—because, under the circumstances, he thought it better to admit the corn now in bond into consumption—he trusted their Lordships, looking to the injustice and probable injury to the corndealers and to other classes which might arise from the suspension of the present Bill, would not give their consent to the resolution moved by the noble Lord.

Lord KINNAIRD said, the noble Lord (Lord Ashburton) had represented him as saying a few nights ago that no corn would come in at all from abroad; but what he had said was, that he did not see that any great quantity could be brought in by anticipation for sale at the prices supposed. He had also stated, and now repeated, that the prospects abroad were anything but satisfactory, and that he knew of cases where corn had been purchased in this country for exportation to Holland. When addressing their Lordships the other night, he stated that the price of grain had risen 4*s*. and was still rising. Accordingly, he found that the *Mark Lane Express* of that very day said—

"There was, as compared with last Monday's supply, a slight increase in the quantity of wheat exhibited at Mark Lane this morning. Still the show on the Essex, Kent, and Suffolk stands was decidedly small, nor was there much fresh up from more distant counties. The millers being sadly in want of fresh wheat took off the best qualities at rather higher terms."

Thus they would see that the supply was rather short.

Earl GREY trusted that their Lordships would not consent to the resolution, without some explanation from the noble Mover as to its practical consequences. His noble Friend opposite had already pointed out the objections to the measure; but what effect, he asked, would the success of the resolution have? Supposing it to be carried, still the Corn Importation Bill remained on their Lordships' Minutes as appointed for a third reading. Did the noble Lord think if the House adopted his resolution, that he could come down to the House and say, that having agreed to that resolution, of course they could not agree to the third reading? Or was his resolution a roundabout and indirect way of throwing over that Bill? [Lord Ashburton: No, no!] His noble Friend said it was not. Then, what would be the consequence of it, if their Lordships were to pass the resolution that night, and to-morrow they were to pass the Corn Bill? Why, the resolution was useless—it was worse than useless, because it intimated to the corn importers that if they did not take care, and if the noble Lord had his will, some measure would be introduced to check the introduction of corn; they therefore would not lose a moment in entering the whole quantity at their disposal for consumption; so that the noble Lord, by his resolution, would defeat the intention of procuring a gradual admission of foreign corn into this country, and produce a totally opposite effect. It was impossible, then, his noble Friend could mean to carry the resolution, and pass the Bill to-morrow; so that he was bound to assume it was an indirect way of throwing out that Bill; for, to postpone that measure indefinitely was, in effect, to throw it out. He supposed the noble Lord meant to suspend the Bill till some other measure could come up from the House of Commons, in accordance with the terms of his resolution; but he thought it would be more manly to propose an Amendment to the Bill. Either the proposal of his noble Friend was altogether useless, or it was an indirect, irregular, and most objectionable measure, calling upon that House to postpone or reject the Bill. It was impossible to escape from this dilemma. If he intended to throw the Bill overboard, let him move his Amendment on the third reading of the

Bill; but after the House had in every stage of the Bill, and on three separate divisions, rejected all the Amendments which had been brought forward—when the country was calculating that this measure was about to pass at once—he hoped the noble Lord would not prevail on the House to follow him in such an indirect, unusual, irregular, and most objectionable course as that suggested by the Motion before the House, to which he trusted it was their Lordships' feeling that it was quite impossible to consent.

LORD REDESDALE was certain his noble Friend had no intention to throw out the Bill indirectly, and it was just because he had no intention to do so that he had adopted his present course. If his noble Friend had taken the course suggested by the noble Earl opposite (Earl Grey) and had proposed his resolution as an Amendment on the Bill, its succes might have been ruinous to that measure; whereas the Bill would stand perfectly secure if the resolution was passed in its present shape. The noble Earl (Earl Dalhousie) had not stated fairly the manner in which his noble Friend had suggested that his resolution should be carried out. His noble Friend had referred to what was done by Mr. Huskisson as to the introduction of foreign corn under a particular measure; and though, as the noble Earl said, the cases were different, they were only different on this ground, that there was less danger when Mr. Huskisson proposed his plan, than on the present occasion. Mr. Huskisson introduced corn to meet a scarcity and high prices; but it was now proposed to introduce a large amount of corn when prices were low, and when there was no prospect of scarcity. Though the prices had been rising for the last few days, it was doubtful whether that rise was not confined to Mark Lane, and was altogether a fictitious advance in the price. The present measure would be hurtful to the producers of grain. He should like to know on the faith of what law the farmers had sown their grain, and under the existence of what law they had made their sales: was it in the belief that a large introduction of grain was to be admitted? Surely they never had contemplated such a law as the present, nor could they have contemplated it, and it would be unfair not to adopt some measure to relieve them from a sudden and unexpected pressure.

The EARL of ELLENBOROUGH said, that while some of their Lordships entertained apprehensions that much detriment would ensue from the present Bill, and others had the conviction that it would produce great benefit to the country, he had not as yet heard any noble Lord, but his noble Friend who had so lately addressed them, who did not deprecate delay. The Motion of his noble Friend was, in effect, to produce delay to the great question before the House; and he proposed their Lordships should stop the measure until they saw what the House of Commons would do with the resolution. But the noble Lord had given them no intimation of the precise mode in which he proposed to carry his resolution into effect. He quite agreed too with his noble Friend the President of the Board of Trade, that any effect which the apprehension of a great supply would be calculated to produce, had been already occasioned by the quantity of corn in bond. It was altogether a mistake to suppose that because a certain quantity of corn was in bond, and could be brought forward on any particular day, it was therefore sure to be all brought into the market on that day; and the prices would not depend on the quantity of corn which was saleable, but on the quantity which was absolutely sold. Was the produce of the harvest, for example, all brought into the market when it was in a state of readiness for it? He believed that for the first week or two an effect would be produced on the amount and price of corn, as compared with the ordinary quantities and rates, but thought this effect would be rather attributable to the distress of the holders of corn, who would be compelled to bring it into market. However, he most earnestly trusted that whatever decision their Lordships might come to, they would not consent to any delay to the great measure before their Lordships.

The EARL of WICKLOW considered that if it was true, as had been stated by the noble Lord, that there was in bond at the present time such a quantity of corn as would tend to lower prices too much, and also the prospect of a large harvest all over Europe, then he would say it was expedient to adopt the resolution; but if, on the contrary, there was not such a large quantity of corn in bond as would affect prices in the way stated, and if the accounts from all parts of Europe led them to anticipate that there would be no great importation of corn, then the necessity for the resolution would fall to the ground. The whole question turned on the matter of fact, and,

as his opinion had been much swayed by what had fallen from the noble Earl (Earl Dalhousie), he should vote against the resolution.

Lord ASHBURTON replied, he had not the slightest wish to throw out the Bill, and should indeed hesitate to take any step towards throwing out that measure, seeing the state of their Lordships' mind on the matter. The proposed law would let in at once, and in a mass, a quantity of grain, which no one could say was now wanted; and, in case of good harvest, there would be added to this quantity all against which other countries shut their ports. Here was a danger against which noble Lords ought to protect their fellow subjects.

On Question, House divided — Content 47; Not-Content 70: Majority 23.

CUSTOMS DUTIES BILL.—THE SILK TRADE.

On the Order of the Day for the House being put into Committee being read,

The Duke of RICHMOND rose to present a petition from the silk manufacturers and silk weavers of Macclesfield, and said he would state the substance of it, as a part of his case. The petition stated that figured and fancy goods were constantly imported at from 60*s*. to 70*s*. a pound. That silk was as much a luxury as sugar, coffee, &c., which had now become necessaries of life, and which were highly taxed; and they therefore prayed that this branch of trade should be thought worthy of protection. He had also a petition from the Spitalfields weavers, praying to be heard by counsel at the bar of the House. Their Lordships must feel how difficult it was for any Member of that House to make himself master of a complicated question of this kind; there were technical terms to be used, and a great deal had to be stated, of which it could not be expected that a Peer requested to present a petition could make himself master, but a learned counsel received full instructions, and could make himself acquainted with every detail. As a proof of this he might mention that the proposed Bill held out the promise of a protection of 15 per cent, whereas the petitioners stated they could prove that on several articles the protection would be but 9 per cent. The petitions from Macclesfield did not say they were opposed to free trade, but that upon inquiry it would be found their trade would be an exception to the general rule. He must confess that he had now no hope as to the Government measures not passing; but if they were prepared to place in jeopardy the landed interest, that was no reason for abandoning the operatives, and he for one should be always as eager to obtain protection for them as for those who dealt in corn. He had always looked on the Corn Laws as the keystone to the arch of protection; but he, for one, should never forsake the domestic industry of the country. Could any man deny that silk was an article of luxury? And who would grudge to pay a little more for such an article, if by doing so he felt he was supporting a large class of the operatives of this country? But he was told that smuggling would be the consequence of retaining the duty, and the same ground was taken as to the spirit duty. Let the Government look after the Custom-house officers, and there would be no fear of smuggling; let not the servile followers of Ministers be alone appointed to situations in our Customs; let the best men be appointed, and he answered for it not half the smuggling which had hitherto been practised would occur. Even now there was little or no smuggling in the maritime districts, because officers of the royal navy were there appointed—men who would disdain to take a bribe. He should ask them to allow the petitioners to call witnesses—not to offer any long obstruction to the passing of this measure, but merely to give them an opportunity of stating their case through counsel. He asked only for what had been granted in the case of municipal corporations of England or Ireland. These men had not the power of the corporations; but they were entitled to equal respect, for they honourably earned their bread with the sweat of their brow: they had a right to expect, aye, to demand, a fair hearing. The noble Duke then cited a number of instances in which counsel had been heard when a particular class was affected by legislation. There had been great distress among the Spitalfields weavers; but during most trying circumstances, they had borne heavy afflictions with as much credit to themselves as good subjects, as members of a Christian community. He therefore moved, that these petitioners be heard by counsel at the bar.

The Earl of DALHOUSIE, desiring to echo most sincerely and heartily the testimony of respect which the noble Duke had paid to the character and past conduct of the Spitalfields weavers, and to add a similar testimony to the character of all

in the country engaged in the silk manufacture, felt that it was but an ungracious task that he had to discharge, in endeavouring to persuade the House not to accede to this proposal. It was true, that counsel had very frequently been heard at the bar upon various measures under consideration, and heard in Committee on Bills affecting particular trades; but the noble Duke was asking the House to hear counsel for parties interested in a general measure of customs law, whereas in all those precedents the measure was either one affecting one particular trade, for which trade counsel was heard, or it was a Bill regulating that trade, and sometimes in a particular locality only. The latter was the case in 1821 he thought, when there was a Bill for regulating, not the whole silk trade, but that trade in the particular district of Spitalfields. With regard to precedents, too, the House must remember what took place in 1808, when the Earl of Derby presented a petition from Liverpool, submitting that certain clauses in the Orders in Council Bill were injurious to the petitioners' interests, and praying to be heard. To this it was objected that it was contrary to the usages of the House to hear counsel against a Bill for aid and supply. The present Bill, he begged to remind their Lordships, was a Bill for aid and supply. In 1815, with respect to the Corn Bill, the same principle was adopted; and in the present case the House ought not, according to those precedents, to hear counsel with respect to individual or special interests, when a question of general policy was before the House. The present was a measure of general policy; and if their Lordships were to consent to hear the weavers of Spitalfields by counsel on the present occasion, they could not refuse to hear other parties, and it would be impossible, under those circumstances, to carry on the public business. He trusted the noble Duke would not press the Motion that the petitioners be heard by counsel, because it was not to be supposed that there were not noble Lords in that House perfectly capable of stating the case of the petitioners.

LORD BROUGHAM said, if it was so contrary to principle, so contrary to the forms of their Lordships' House, and so contrary to the usage of Parliament, as his noble Friend had described it, to hear counsel against a Bill, he would be the last to give his vote in favour of it. There was, however, the greatest difficulty in even slightly understanding the details of the question—the petitioners stating that the 15 per cent left by the Bill would be practically only 9 per cent; and therefore he thought that not only would the speech of counsel be of great service in elucidating the facts, but he should not tie down the petitioners' hands so as to preclude the examination even of witnesses. The great question that had been so long before their Lordships was now nearly at an end; but he would do the noble Lords who advocated protection the justice to say, that though human passion was unavoidable in the course of the debates that had ensued upon its introduction, and during its progress through the House, never was there a case of the kind conducted to an issue with greater candour and more fairness than this had been by the noble Lords in question: and though he freely admitted that they had had many temptations to create delay through what occurred in another place, they had nevertheless abandoned their chance without reluctance, to allow the business of the country to be sped onwards. He felt the most unbounded confidence in the assertion of his noble Friend, that the request of the petitioners was not made for the purposes of promoting delay. He differed, no doubt, from his noble Friend in respect to the merits of the general question; but that was no reason why information should be shut out upon it. The petitioners distinctly stated that there were certain points in connexion with their trade, and the effect of the measure upon it, which could not be understood without professional assistance. That was a reason why their prayer should be granted. It was not a sufficient ground to refuse it because only one out of several trades affected by the Bill sought to be heard: the others might not have the same grounds as they had. With respect to the precedents cited by the noble Earl, he could not conceive how the facts of one case could have been so utterly perverted as were those of the great case of 1808. He had appeared at the bar of the House as counsel in that case, and had not alone spoken against the Orders in Council, but had examined between forty and fifty witnesses during the three weeks it lasted. On that occasion, too, he had argued not only against the particular matter complained of, but against the whole system. He, therefore, marvelled how any one could for a moment have a doubt upon the subject. Counsel was also heard in the

case of the Municipal Corporations Bill on the part of particular corporations; and as far as he was concerned, he would freely admit, not without advantage and information. When great alterations were making in the general policy of the country, it would not be wise on the part of their Lordships to press them on to the exclusion of information, on the ground of the necessity of hurrying on the measures proposed. As an enemy to commercial restriction of all kind, and a friend to free trade, he should feel exceedingly grieved at any act of their Lordships which would have the effect of excluding information upon the subject under discussion. If any class of men deserved the kind consideration of the House, it was the numerous, the ingenious, the industrious, and the hard-faring people engaged all their life long in the silk trade. It was a trade the most precarious in its nature, and the most liable to be affected by any change; and no branch of industry was more subject to the visitation of severe distress. He had known them in prosperity, and he had known them in adversity; but he had never known any body of men more patient under privation than they were, and therefore more justly entitled to their Lordships' sympathy. If, therefore, his noble Friend pressed his Motion to a division he should support him; but he trusted that the Government would not reduce him to that necessity, but would accede to it.

The Earl of ELLENBOROUGH said, that if the Motion of the noble Duke were adopted by their Lordships, they would be adopting a principle which, if carried into effect, might prove an obstruction to the transaction of public business in reference to any Bill repealing or imposing duties. If persons on behalf of the silk trade were heard by counsel, there would be no reason why persons on behalf of the linen, cotton, timber, and other trades should not be heard. The noble Duke had said that if their Lordships would allow counsel to address them, he would pledge himself that they would not speak at length. He (the Earl of Ellenborough) feared, however, that those learned Gentlemen would make long speeches; and he had suffered under such inflictions in that House and elsewhere. The noble Duke also proposed that witnesses should be heard; and if the House acceded to his suggestion they might have to hear speeches and evidence, not only with reference to the silk trade, but every other trade which might be affected by this Bill. If this were to be the case, any further legislation on this subject during the present Session would be effectually obstructed. He gave the noble Duke (the Duke of Richmond) full credit for not having thrown obstructions in the way of proceeding with the Corn Bill; but, if they once admitted lawyers to the bar, the noble Duke would have no power to restrain the mischief he would thus have introduced. He (the Earl of Ellenborough) had heard something about precedents; but he thought it more desirable to make good precedents than to follow bad ones; and he was satisfied, if their Lordships sanctioned the noble Duke's proposition, they would establish a principle fatal in many cases to the progress of legislation on the most important matters.

The Duke of WELLINGTON: Before you proceed, my Lords, to divide upon this point, I wish to remind your Lordships what the question for your decision is. It is that counsel shall be heard in Committee upon this Bill in favour of the petition of the Spitalfields weavers. Now, I beg your Lordships to recollect, that in Committee you will have to examine and consider the details of the Bill, the schedule of which provides that certain duties shall be levied upon silk goods. Now, my Lords, I beg to recall to your recollection that you cannot, consistently with the common practice, make any alteration in these details in Committee, without an infraction of the settled rules of proceeding which have existed for more than 200 years, as between the two Houses. Your Lordships have been pleased, in your late discussions in the Committee on the Corn Bill, to adhere strictly to this practice; and you refused to agree to Amendments which, it was admitted, would have the effect of losing the Bill. But the consequence would not be only the losing of the Bill. The consequence of making alterations in Committee in the money clauses of Bills of Supply and of Customs has invariably been, not only the loss of the Bills, but afterwards, in point of fact, entirely to paralyse the proceedings of Parliament. If your Lordships are desirous of avoiding these inconveniences—inconveniences which would be felt by the public, and particularly by your Lordships, most severely—I conclude you would have the same feeling upon this Bill as you displayed upon the Corn Bill—that whatever might be the effect on your Lordships' opinions of the arguments of counsel, you

would not consent to make any alteration in the details of the schedules of this Bill, as to the duties upon silk, but that your Lordships would persevere in passing the Bill as it now stands. If your Lordships should consent to hear counsel in Committee against the details of a Bill, the alteration of which may be attended with the greatest possible inconvenience to your Lordships and to the public, by impeding the progress of public business, you will only listen for a considerable time to arguments upon which, you will be sensible at the time, you cannot act, and which will not induce you to make any alterations in the Bill. By this course your Lordships will establish a precedent which may be useless as to yourselves, and most injurious to those who will avail themselves of this precedent, and employ counsel to come here and plead their cause, while your Lordships must know that their arguments can have no avail in inducing you to make any alteration in the details of the measures they object to. What I beg particularly to draw your Lordships' attention to is, that the object of the noble Duke's Motion is to induce you to listen to counsel in Committee on a Bill which levies duties upon customs, and which you cannot alter without infringing the ordinary usages of Parliament.

The DUKE of RICHMOND said: I had not intended to reply upon this question; but after what has been said by the noble Duke, I must protest against the principle he lays down. If this is to be the constitution of Parliament, I would ask your Lordships whether it is not a mere farce, that we are to be called on here, night after night, to go through the stages of a Bill, and then, forsooth, we are to be told that we cannot alter it? I contend that these petitioners have a right to be heard at your Lordships' bar. I will not detain your Lordships by saying more on that subject; but I will only add, that if this is to be the course to be pursued by the Government, I hope they will alter your Standing Orders, and that they will determine that the Queen's consent and the Commons' is sufficient to pass a measure. This must be the result, if the argument of the noble Duke is to have any weight in this House. If that argument had been used by a young man who had just come from school, I should have taken no notice of it; but when it comes from my noble Friend, the noble and gallant Duke, I am bound to protest against it, and I shall certainly feel it my duty to take the sense of the House on this Motion.

On Question, House divided; Contents—Present 43; Proxies 31: Total 74. Non-Contents—Present 42; Proxies 36: Total 78. Majority against the Motion 4.

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LORD BROUGHAM expressed his regret at the result of the division, and particularly at the manner in which it had been carried. He should very cheerfully have supported the measure, if his adversaries had had an opportunity of stating their case; as it was, he should tender the measure his support very reluctantly. The question was rather a judicial than a legislative question; and yet it was decided by the votes of persons who were absent—persons who were in Ireland, or on the Continent, or even at Madras. This being a *quasi* judicial question, where parties came before their Lordships craving redress from an apprehended injury, and respectfully and humbly begging to be heard

by counsel, who, they said, could give explanations to their Lordships which no person could give without being professionally instructed, those Peers who were present resolved—by a narrow majority, indeed, but still they did resolve—that counsel should be heard. In this state of things some one called for proxies. He was very sorry that such a call should have been made. He was not, of course, at liberty to protest against it; but he knew that some of those who, in obedience to the call, had exercised their undoubted right of producing the proxies, would have been the last to call for proxies themselves. He thought this decision dealt a serious blow on the right of voting by proxy in their Lordships' House. He doubted if proxies would stand such a case as this much longer. If a noble Lord, who was not now alive, had been present (the Marquess of Westminster), how greatly would he have been rejoiced at this proceeding, and justly; for it would have advanced the cause for which he contended —of the abolition of proxies—by half a century. He had no recollection of such a case as this ever happening before, where the proxies of those who were absent overruled and reversed the decision of those who heard the case. There might have been such a case; but, at any rate, this was one of a most grievous and crying nature; because it was a refusal of the petition of parties who petitioned to be heard at their Lordships' bar.

The EARL of GLENGALL protested against this decision, and on this ground, that a few years ago he had been placed in a position in the House which rendered it impossible for him to hear the question which was put to the House. After the division, a noble Marquess put it to him, upon his honour, whether he was in the House and heard the question? He replied that he was not; and the same being the case with other noble Lords, their votes were not taken. Now, as he knew that there were noble Peers on this occasion in the same position, he must enter his protest against the decision on that ground.

The MARQUESS of LANSDOWNE said, as he was the person referred to, he could confirm the statement which the noble Earl had made; and he would add, that no person who was not in the House when the question was put was entitled to vote.

The EARL of GLENGALL then put the question to the Duke of Buccleuch—on his honour as a Peer, whether he was in his place at the time and heard the question put?

The DUKE of BUCCLEUCH stated, that he was not only in the House, but that he heard a considerable portion of the noble Duke's (the Duke of Richmond's) reply.

The EARL of GLENGALL: But was the noble Duke within the House according to the usual interpretation of "the House?" He saw the noble Duke enter the House along with the Earl of Home, and his impression was that the noble Duke was not within what was usually called the House.

The DUKE of BUCCLEUCH: If you come to the strict meaning of the House—[*Loud cries of* "Hear, hear!"] Perhaps noble Lords would be so good as to hear what he had to say before they cheered. He would not be put down by any clamour. If the noble Lord meant to ask him whether he was so many inches—

The EARL of GLENGALL: I ask the noble Duke—

The DUKE of BUCCLEUCH: When the noble Lord is in order, I shall answer the question which he has put; but I will not state my answer in any other words than those in which I choose to state it, and not in the words of others. I have to state that whether I was actually in front of what is technically called the Woolsack, or in any other place, I cannot at this moment recollect; but I know that according to all the rules observed in your Lordships' House with respect to Peers being present at debates, I was actually within the House, though I was not in my seat at the moment. I heard the question distinctly put from the Woolsack; and I was standing in the House with my noble relative who has just been alluded to, though I was present some time before he entered the House.

The EARL of GLENGALL disclaimed any intention of personal discourtesy to the noble Duke; and he would leave it to their Lordships to say whether the noble Duke was sufficiently in the House at the time to entitle him to vote.

The LORD CHANCELLOR thought that if a Peer was within the four walls of the House at the time a question was put, he was entitled to vote.

The EARL of GLENGALL would now put the same question to the Earl of Home, and ask him, upon his honour, whether he

was in the House, and heard the question put?

The EARL of HOME had no hesitation in saying that he was in the House, that he heard the question, and that he had been in the House some time before the Duke of Richmond concluded his speech.

LORD REDESDALE confirmed this statement, as he saw both noble Lords in the House before the question was put. The only observation which he was disposed to make on this extraordinary discussion was, that the majority of those who were present in the House were anxious to hear counsel on the subject, but were prevented from doing so by those who were not present, and who did not care whether counsel were heard or not.

The EARL of WICKLOW said, the noble and learned Lord opposite (Brougham) expressed his belief that this was the only occasion where a Motion had been overruled by the votes of those who were absent. Now he might remind his noble and learned Friend that when he sat on the woolsack, he (the Earl of Wicklow) brought forward a Motion on the subject of Irish Education, which he carried by a majority of those present; but the Motion was overruled by the Government of which the noble and learned Lord was a member calling for proxies. He must say, that though he had voted against the Motion, he thought this was an injudicious use of proxies. He did what he could do to prevent the abuse; and he wished he could see some noble Peer of weight and experience, rise to propose their abolition altogether; and in these reforming times, he did think that a few more such injudicious uses of proxies on the part of their Lordships, would lead to their abolition altogether.

EARL GREY entirely agreed with the noble Earl, that they could hardly adopt a more judicious course than to abolish the use of proxies; and if the noble Earl would make such a proposition, he could ensure him of his hearty support. But while proxies existed, he thought parties were entitled to use them. His noble and learned Friend had called this a judicial question. Why he might as well have called it a geographical question, or a geological question, or a grammatical question—for it had no more resemblance to a judicial question than any other which came before their Lordships.

LORD BROUGHAM explained that he did not call it a judicial but a *quasi* judicial question.

The DUKE of RICHMOND was bound to submit to a majority of their Lordships, though he was afraid the decision would greatly lower them in the eyes of the country, who would feel their decision to be injurious because it was unjust. All he could now say was, that it was out of his power then to enter upon the case of the silk weavers, and, therefore, at whatever time it might come on, he should move that it be postponed till he had made himself in some degree master of the case. All he could now do would be to read the brief which had been given to a learned Serjeant, who would not have taken up half the time which he (the Duke of Richmond) would do; but he was resolved that their Lordships should hear the whole truth.

LORD STANLEY: My Lords, I do not rise to complain of this decision, but simply to say, that if ever there was a question where the voice of those who were present ought to have ruled the decision of your Lordships' House, it is on a question where, with a view to influence the judgments of those who are present, in a matter where persons who are deeply interested appeal to your justice, and desire you to hear what they have to say in an authentic and authoritative manner. Your Lordships who are present, and who have to decide this question in Committee, have decided that you will hear what the petitioners have to say; but your verdict has been overruled by those who are not present, and who cannot be present in Committee; and after you have declared that in your Committee you desire to hear the arguments of the parties interested in this question, the names of those who are in other parts of the world have been put in for the purpose of saying, that, in the Committee which they do not mean to attend, you shall not hear the statements which you desire, in order to form your judgment on the question to be submitted to you. My Lords, I cannot conceive a stronger case, especially when you recollect that the object is not to decide either for or against the petitioners; but simply, shall the petitioners be allowed to state the case in a manner which they think most conducive to their interests. But I do not rise to prolong discussion, nor to interpose delay; still less do I object to your Lordships' going into Committee to consider the various articles which are to be brought under your notice. But I think it will tend to the saving of your Lordships' time, if I now, on the question of going into Com-

mittee, make a few observations on the general tendency of the Bill, in respect to certain articles enumerated in it, rather than afterwards call your Lordships' attention to these individual articles at the time they respectively come under discussion. My Lords, if I were desirous to find fault with Her Majesty's Government, and to contrast their conduct on this Bill with their conduct on the other Bill, I should have no difficulty in showing that this Bill is utterly inconsistent with the principles of free trade and of condemnation to protection, which my noble Friend, the President of the Board of Trade, pronounced, *ex cathedrâ*, to be the future rule and principle of Her Majesty's Government. Having taken away all protection from agriculture—that is to say, from corn—you proceed in this Bill to lay down a system of protective duties—duties levied, not for the purposes of revenue, but levied exclusively on the principle and for the purpose of protection. You draw a distinction between the raw material and the finished article, which is a direct encouragement and protection of our native industry—you draw a distinction in every one of the articles in this Bill of a differential duty in favour of the produce of your Colonies—articles in themselves very immaterial; but, so far as the distinction goes, recognising the principle, first, of protection to domestic industry, by exempting the raw material from the duty to which you subject the finished article; and, in the next place, recognising the principle of a differential duty in favour of articles the produce of our Colonies, against articles of the same kind the produce of foreign countries. It is because I find the principle of protection recognised and upheld in this Bill, that I consent to go into Committee to discuss its provisions in detail. I know it has been calculated and said, that if once you sweep away what noble Lords opposite call the "monopoly of the landowners,' you will find them the confederates and coadjutors of those who would attempt to remove protection from all other articles. I hope experience will falsify that prediction. I hope the landowners and the agricultural interest will not consent so far to stultify the cause in which they have been engaged—a cause in which, let me tell you, they are still engaged—a cause in which they will continue to be engaged—as to say, that because you may succeed in taking away from them that protection which they have hitherto enjoyed—they will spitefully extend to others a principle, the application of which they say, as regards agriculture, is unjust. To act on such motives, would be acting in a spiteful mood, visiting upon others those injuries which they have themselves experienced. I say, my Lords, we have not abandoned, and that we do not mean to abandon, the principle of protection to the domestic industry of this country; and I am much mistaken if many years elapse before we have the manufacturing interest of this country thoroughly sensible of the mistake they have committed, and earnestly requesting of the Legislature to give them that protection which they have been so desirous you should withdraw from others. I might object that the principle of protection is not fully and fairly carried out in this measure, but I shall not dwell upon this point. I am anxious to draw the attention of the President of the Board of Trade to some details of the measure in which reductions have been made, which I think I can prove to your Lordships are not consistent with the true interests of this country. But I must again observe, that the principle of protection is recognised in this Bill, and it is therefore only with regard to the details of the measure that I wish to address a few observations to your Lordships. It will be for your Lordships to decide, after you shall have heard the explanation, which I hope will be given on the part of Her Majesty's Government—it will be for your Lordships to decide whether or not you are satisfied that they have made out a case, either on the principle of protection or on principle of revenue, for the alteration of duties which they propose. I did not expect this Motion to come on to-night, and I regret I have not had an opportunity of referring to some Papers which have been recently laid upon your Lordships' Table. I am about to deal with this measure chiefly on the score of revenue, for I beg your Lordships to observe that you have at this moment a calculation of only a very small surplus revenue, even with things as they are, for the service of the current year; and if the calculations respecting the revenue which I have made are accurate (and I have taken every pains they should be so), those who are in office this time twelvemonths, whoever they may be, will be in great danger of experiencing a deficiency in the revenue. Yet, my Lords, it is under these circumstances that the Government think it wise and politic

to introduce a Bill for the purpose of reducing or repealing the duties on numerous most important articles, which last year produced to the revenue 2,739,187*l.*; and in this reduction you only take credit for a diminution of 357,000*l.* on the article of corn—an amount much lower, I believe, than the average of late years. Then there are articles on which duties are to be altogether repealed, to the amount of 55,879*l.* It is proposed that we shall reduce by one-half the existing duties on articles which produce a revenue of 2,326,000*l.*; and, with the exception of such a portion of that revenue as may be made up by an increase of consumption, the loss to the revenue on those articles alone will be, according to the calculation I have made, no less than 1,338,000*l.*; to which, if you add 400,000*l.* for corn, you will have a positive loss of revenue under the operation of this measure to the amount of more than 1,738,000*l.* I am aware that a certain increase in the consumption will make up a part of the loss; but that there will be a serious defalcation of revenue arising from the reductions proposed by this Bill, will readily be admitted on the part of the Government themselves. That there will not be a very serious defalcation of revenue, has not even been contended for by the Government. Now, I believe that, if there be one financial maxim more universally recognised than another, and which is perfectly consistent with sound sense, it is this, that the articles which a Government should select for a reduction of duty should not be those which were yielding a progressively increasing revenue; for thereby you are not only depriving yourself of large and profitable resources, but you are doing that which is not needed; for the progressive increase of duty shows that the duty already existing does neither press in an undue degree upon the consumer at home, nor restrain the foreigner from entering into competition with the home producers. Therefore, I say, in whatever way you regard it, there is no political reason for the abolition of such a duty. Now, tried by this test, let me take a few of the articles in the Tariff. I will take the duty upon butter and upon cheese. In 1842, in the general revision of the Tariff, the duty upon those articles was left unaltered. Does it appear that, in consequence of the duties upon butter and cheese, the imports of these articles have fallen off very considerably? If such appears to be the fact, then a *primâ facie* case is made out that there is an undue exclusion of these articles from entering into competition with our domestic produce. But if on the other hand it can be shown that so far from there being a decline, there is a positive and progressive increase in the imports, then I say the charge of monopoly and undue exclusion falls to the ground. But let us go to the figures. In 1843, immediately after the passing of the late Tariff, the duty levied on butter was 151,953*l.*; in 1844, 186,000*l.*; in 1845, 247,000*l.* Now with respect to cheese: in 1843, the duty levied on this article amounted to 91,000*l.*; in 1844, to 117,000*l.*; in 1845, to 141,000*l.* On these two articles, therefore, you realized in 1843 a revenue amounting to 243,000*l.*; yet under the pressure of this duty the revenue upon them in 1845 increased from 243,000*l.* to the sum of 389,000*l.* I must, then, ask what ground you have, either on the score of revenue or of an undue pressure on the foreign producer, for the reduction of duty on these articles which is now proposed, and for making the large sacrifice of revenue to which that reduction would necessarily lead? Again, let us look at the case of live animals, on the importation of which a moderate duty was imposed in the year 1842. Has that duty excluded them from our markets? You did not expect that they would be largely imported; and I do not say that I apprehend any serious competition in those animals from the foreign producer. The amount of the duty on live animals in 1843 was 1,500*l.*, in 1844 it was 5,300*l.*, and in 1845 it was 18,500*l.* What ground, then, is there for depriving your revenue of the moderate amount derived from that source, and putting it into the pockets of the foreign producer?—for that I believe will be the effect of the proposed change. Again, let us look at the silk duties. I believe that our exports of silk goods have been of late years nearly stationary. I do not mean to say that our exports were not more this year than last year; but I mean to say that if you look to the Papers laid on the Table by Her Majesty's Government, at an early period of this Session, you will find that in the course of the last ten or fifteen years the exportation of British silk manufactured goods has not made any considerable progress. I believe even that there were three or four years, some six years ago, in which the exportation of British silk goods was greater than it is at the present

moment. But in the meantime the importation of foreign silk goods has very largely increased under the existing duties. In the year 1843 the amount of duty on foreign silk goods was 241,000*l.*; in 1844 it was 286,000*l.*; and in 1845 it was 323,000*l.* Thus your Lordships see there has been a large increase in the importation of the foreign article; and a revenue was derived from it, with no loss whatever to the home producer, of 320,000*l.* Yet, in the face of this fact, you are about to lower by one-half the duty on the introduction of foreign silk goods. I ask your Lordships, is not this a wilful and a wanton sacrifice of revenue, without any corresponding good to the British consumer? Now I come to the article timber. In 1842, the duty upon foreign timber was very considerably lowered—it was altogether removed from colonial timber. The effect of this lowering of the duty on Baltic timber has been that since 1842 there has been a very large increase in the amount of Baltic timber brought into consumption in this country. I beg leave to remind your Lordships that this is no trifling article of revenue. In 1843, foreign timber produced 713,000*l.*; in 1844, 916,000*l.*; in 1845, 1,046,000*l.* Is there any proof in this article that the duty pressed unduly on the consumer, or excluded the foreigner? And yet, for no conceivable reason that I can see, my noble Friend proposes to reduce two-fifths of the duty upon foreign timber, which yields, as I have said, 1,046,000*l.* To sum up these articles I have enumerated, which in the aggregate, in 1843, yielded a revenue of 1,199,000*l.*, increased so, that in 1844 they brought in 1,500,000*l.*, and in 1845, 1,770,000*l.*, being an increase of above 600,000*l.* in two years. So that neither for the relief of the consumer at home, or of the producer abroad, you are about to sacrifice 1,777,000*l.* of revenue. I will now pass to articles which, though not very important in themselves, are important inasmuch as they involve the interest of great numbers of our operatives. The next articles I will call your Lordships' attention to are boots and shoes. And here allow me to observe that whatever advantage the consumer derives from the reduction of the duty in this article, that reduction will not in any way operate to the advantage of the lower classes: the advantage will be solely derived by the higher classes—those who are best able to afford the loss of that which the revenue would otherwise gain. Well, but what else will this reduction do? I say, my Lords, it will displace a large quantity of labour—it will throw out of employment a great number of persons who are now usefully engaged in this manufacture. Before the year 1842 the duty on foreign boots was 54*s.* per dozen. You lowered it in 1842 to 1*l.* 9*s.* 4*d.*, and the importation immediately rose from 4,820 pairs in 1842, to 8,353 pairs—I mean of boots—no alteration has taken place since then, and 1*l.* 9*s.* 4*d.* has stood as the duty since 1843. Now, I beg your Lordships to observe that from 4,821 pairs, in 1841, the importation increased to 8,353 in 1842; and from that to 12,220 in 1843; and from 12,220 in 1843 to 13,261 pairs in 1844; and thence to 14,387 in 1845. I repeat that persons in the higher class and best able to pay for luxuries, are the chief buyers of French boots. I declare I am at a loss to conceive upon what grounds the Government have interfered with this article, and propose to reduce the duty from 1*l.* 9*s.* 4*d.* to 11*s.* per dozen. On the article shoes and boots, I spoke only of boots before. There were imported in 1841, 39,000 pairs of shoes, whilst in 1845 there were 82,000 pairs imported. The existing duty, therefore, does not prevent the foreign producer from entering our markets on fair and reasonable terms. There are two other articles to which I wish to refer—I mean stained paper and pillow lace. The duty on the first of these articles was not changed in 1842. The duty on stained paper is now 1*s.* 3-5*d.* per dozen yards. In 1841, there were imported 13,479 yards, and in 1845 there were imported 30,000 yards. So that there was a progressive increase of the foreign manufacture in our market. Yet we are now called upon to reduce the duty from 1*s.* 3-5*d.* to 2*d.* Now, with regard to pillow lace, I must observe that this is an article which is almost entirely produced by manual labour, and principally by female labour; and as the article is one of luxury, the reduction of the duty can only benefit the rich in this country at the expense of a very humble and helpless class of our operatives. Before 1842, pillow lace was subject to a duty of 30 per cent; but in 1842 the duty of 30 per cent was reduced to a duty of 13*l.* 2*s.* 6*d.* per cent. In the year 1843, under that altered duty, the revenue derived from the importation of pillow lace was 6,486*l.*, and in 1845 it was 12,000*l.*; and yet not content with

that large increase, you are now about still further to reduce that duty from 13 to 10 per cent. Now, I do not say that I shall call on your Lordships in Committee to strike all these articles out of the Bill; but I do say that before your Lordships consent to alter the duties on these articles, you ought to have an explanation from Her Majesty's Government of the principle on which they propose these alterations. If Her Majesty's Government can show that under the present law there is not a fair and reasonable competition in these articles between the foreign and the home producer, and that the home producer practically enjoys a monopoly, then I shall not for one moment object to the reduction or even the repeal of these duties. But as it appears that the importation of these articles is every day increasing, and that the competition in them between the foreign and the home producer is every day becoming more and more brisk —I say that your Lordships ought to receive some explanation from Her Majesty's Government before you consent to sacrifice a large amount of revenue, and to give a further encouragement to the foreign producer, which it is obvious he does not require under the present state of things. What are the calculations upon which they intend the revenue shall be recompensed for these deficiencies? I protest, my Lords, I know not how these wants are to be supplied. I have thought it would be more convenient that I should make these observations before going into Committee, in order to give my noble Friend the President of the Board Trade an opportunity of entering, if he pleases, into an explanation on the part of the Government of the principle on which the Bill is founded; of the calculations into which they have entered; of the results which they anticipate from the measure; and of the reasons which have induced them to sacrifice an amount of revenue which I doubt whether the country can at present safely afford to lose.

The EARL of DALHOUSIE said, that his noble Friend seemed to think that Her Majesty's Government had introduced that measure as an entire free-trade measure, and had at the same time been guilty of the inconsistency of recognising in the Bill the principle of protection.

LORD STANLEY said, that what he had stated was that there was an inconsistency on the part of the Government in introducing a measure like that in which they recognised the principle of protection, after they had renounced that principle in their Corn Bill.

The EARL of DALHOUSIE said, that the Government did not propose that measure as a measure departing altogether and at once from protection. The principle they desired to follow was that of removing from all articles of food — from all articles of first necessity — all duties whatsoever; while upon all articles which were not of first necessity, but which entered largely into the consumption of our population, they were desirous of reducing the duties as far as considerations of revenue would allow. They did not stop there; but they proposed to reduce the duties on all articles of general clothing. The duties upon the articles of cotton, woollen, and linen manufactures, had been entirely repealed; but the duties on several smaller items had been retained, not for purposes of protecting the larger manufacturers, but the poorer classes of the working people. Further than this the Government had had no other intention than that of reducing the duties not only on all manufactured goods, but also on the raw produce; and they accordingly had proposed to reduce the duties on fully manufactured articles a certain amount, on half manufactured articles a certain amount, and to do away altogether with the duty on the raw material. The duty of 20 per cent on manufactured goods they proposed to reduce to 10 per cent, and that on half manufactured goods to 5 per cent, while they removed the whole impost from the raw material. They did not propose to throw away at once the principle of protection altogether; and therefore his noble Friend had no right to accuse them of not fully carrying out the principles of free trade, since they had never professed to do so. But when his noble Friend asked them what was the difference between the raw material and the manufactured article, he asked a question the answer to which was so obvious that it seemed strange it could have been asked by him. Was it not essential to the best interests of the manufacturers of this country that they should have a cheap, and a constant, and good supply of that which would keep them employed, without entering into considerations of revenue on this subject? But with respect to articles in a state of half or whole manufacture, he was prepared to state that this duty of 10 or 5 per cent was a perfectly just one, and defensible on considerations of revenue. The Government were also asked

how they proposed to make up the deficiency of revenue likely to result from the carrying out of their present proposition? The noble Lord had stated the computed loss to be about 1,400,000*l.* Now, he was not disposed to question the accuracy of his noble Friend's figures; but the Chancellor of the Exchequer, in the other House of Parliament, in alluding to this subject, had estimated the diminution of revenue from these reductions at about only 700,000*l.* But his noble Friend asked them how they proposed to make up this deficiency? They did not hold out any hopes, or at least they gave no guarantee, that the revenue would be made good; but looking to the experience of the past they had every reason to believe that in consequence of the increased consumption of the country, the stimulus given to its commercial resources, and the progressive improvement of its social and manufacturing condition, the revenue would not be lost to the amount stated, but rather be increased. The large reductions of former years, and the increased amount of revenue which followed, gave them every reason to hope that a similar result would again follow. In the year 1842 the entire of the amount of the Excise and Customs duties of this country had amounted to 32,100,000*l.*; while in 1845 they had increased to 33,400,000*l.*, although during that period Customs and Excise duties had been repealed to the amount of not less than 5,100,000*l.* The Government, of course, could not give a guarantee that the revenue would be replaced; but they were fully justified from the experience of the past in expecting that it would be so. He would then briefly refer to the several articles alluded to by his noble Friend. The first two articles touched upon were those of butter and cheese. He fully admitted the correctness of his noble Friend's statement, that, under the existing duties, the consumption and importation of these two articles were increasing. But the Government could not profess to act upon the principle upon which they were acting, unless they introduced these two articles of butter and cheese into the present proposition, seeing that they were two which entered so largely into the consumption of the poorer classes of the community, and ought to be, therefore, subjected to the same reductions which were intended for other articles of a similar sort. His noble Friend who had just spoken, and indeed other noble Lords who thought and acted with him, seemed to think that the duties on these two articles were of long standing, and that they had been imposed and should be retained for purposes of protection. Now the fact was, that these duties were of modern origin, having been only recently imposed. There had been no duty on butter up to the time of the end of the late war, similar to that which was now imposed on it. On this matter, then, they were doing no more than placing the duty on the article in the same state in which it formerly was. With respect, therefore, to the reduction of the duty on butter and cheese, they were doing no more than carrying out the principle by which they were regulated in the entire of these proceedings, of reducing the duties on such articles as entered largely into the consumption of the poorer classes, and that too without reference to the immediate revenue which they yielded. His noble Friend also had entered into the case of the reduction on the import duties on live cattle. But he at the same time said that he did not entertain any apprehensions as to this going to a dangerous extent. On this point, too, it would be only necessary to say that the Government had been influenced by the same principle as that to which he had already alluded, as being that on which the whole measure of the Government was based. His noble Friend had next taken the silk trade; but as a noble Duke on the cross benches was to bring this case specifically before them in detail, he would abstain from anticipating what might be said on that subject. His noble Friend laid stress upon the increasing imports of this article, and therefore increasing yearly additions to the revenue. Now this was strictly correct; but it did not therefore follow that either the importation or the revenue was increasing as it ought, or as it would do if there were no smuggling. He would say, however, that with respect to this article the reduction of the duties on silk had not been made so much with reference to the question of protection as to that of revenue. The duty was said to be 30 per cent universally; but, in point of fact, it ranged from that up to about 250 per cent. Now this was an anomalous state of things. Twenty-five years ago, a Committee of that House had taken this subject into consideration, and they had then recommended a duty of 15 per cent to be established instead of that then in existence. To show, however, to what an extent the

revenue of this country was defrauded by the system of smuggling carried on in this article, it would be only sufficient to state from authentic and official returns, that from the year 1827 to 1843, the amount of silk goods entered at the Custom-house of France for exportation to this country had been 6,332,000 lbs.; while the amount entered here in England, upon which duty had been paid, was only 3,100,000 lbs., not one half the amount that ought to have come in. These returns, he maintained, fully justified the course which the Government proposed to take with respect to this article—to put a fixed duty of 15 per cent on it, instead of that which was formerly placed on it. He had no doubt they would see in future years a very considerable increase in the importation, to the prevention of the illicit trade, and the great increase of the revenue. His noble Friend, also, had alluded to the increase which had taken place in the importation of foreign timber from 1842 to 1845; and he had accordingly asked why the duties were proposed to be changed on this article? His answer was, that the same principle which had been applied to other articles had been applied to this, the consumption of which had so much increased, and become so much a better of necessity in this country; and, moreover, it was an article, the consumption of which was closely connected with the consumption of other articles which increased the revenue largely. Having relieved colonial timber of all duty, they had considered it right to reduce the duty on foreign timber to 15*s.* a load. His noble Friend had next alluded to the question of boots and shoes. Now the Government had never put this reduction forward as a measure calculated to be beneficial to the poorer classes of the community; they had never put it on grounds either of revenue or protection. It had been done entirely on the equal application of the principle by which they had dealt with all other manufactured goods, as iron and the like; and they did not think it right to exclude manufactured leather from the operation of the same principle. His noble Friend also alluded to the case of stained paper. Now this grievance of the paper stainers, attempted to be put forward by his noble Friend, was the weakest that ever was relied on. At present there was a duty of 1*s.* a square yard—a duty which he maintained to be monstrous. It was said that the manufacturer here had to compete with the foreigner, under the disadvantage of an excise duty. Now the excise duty in question was only about half a farthing a square yard. He knew of no reason why the paper stainers in this country should not be able to compete with the foreigner at a duty of 2*d.* It was said by the paper stainers that they had to labour under a disadvantage arising from the superior designs of the French manufacturers. Now he could see no reason why the paper stainers of this country should not rival foreigners in design as well as in those qualities so essential to superiority; and he anticipated great success to result from the exertions which had been made to establish schools of design in this country. The only other article to which the noble Lord had alluded was pillow lace. The noble Lord said that pillow lace was an article in the manufacture of which the poorer classes were engaged, and yet the Government had proposed to reduce the duty. The present was an *ad valorem* duty of 12*l.* 10*s.*, which it was proposed to reduce to 10*l.*, in order that the workmen employed might be placed on the same footing as those engaged in other branches. He did not pretend that the present measure was one of complete free trade. It was only following up the course which the Government had been pursuing for the last four years, which was the removal of all duties on articles of food and clothing—the reducing of duties on articles that entered largely into the consumption of the people, more especially of the poorer classes—the taking off of all duties whotsoever on raw materials, and the reducing of duties on manufactured articles to as near as possible an *ad valorem* duty of 10 per cent. That was the principle on which the measure was based, and it was for their Lordships to say whether that principle was sound or not. All he could say was, that, as far as might be, the details of the measure would be found to work out that principle.

EARL STANHOPE thought the noble Lord who had just sat down had overlooked the real gist of the question, which was the effect which the former reductions in the Tariff had had on the productive industry of the country. If their Lordships would only consent to hear evidence at the bar upon that point, they would learn that the effect of former reductions had been to throw numerous bodies of industrious workmen out of employment, and almost to ruin them. It was quite true, as the noble Earl had said, that the measure was not

one of complete free trade. It was still a measure of protection—but of diminished protection—of protection diminished without any just cause, and at the expense of the industrious classes of the country. Upon that point they were entitled to every information; and he wished to know from the noble Earl whether he was willing to lay on the Table copies of all remonstrances received by the right hon. Baronet at the head of the Government, and by the Board of Trade, against the reduction of duties now proposed?

The EARL of DALHOUSIE could not answer for all the remonstrances sent to the First Lord of the Treasury, though he believed that the remonstrances received by him had been communicated to the other Members of Government; but, with regard to those remonstrances which he (the Earl of Dalhousie) had received, he was ready to lay the whole of them on their Lordships' Table; and it would perhaps be satisfactory to the noble Earl to know that it would be an extremely small collection.

EARL STANHOPE said, it would appear that whatever remonstrance there might have been to the Government, it was needless to attempt to petition that House after what they had heard that night. Did he understand the noble Duke to say, that not a single article of the Tariff could be altered according to the constitutional rules of Parliament?

The DUKE of WELLINGTON said, that their Lordships had not been in the habit of altering, and could not alter, any money clause in a Money Bill. The present being a Money Bill, which specified certain duties or customs, their Lordships could not, according to the practice of the House, alter those duties or customs.

EARL STANHOPE thought it would be well if they sent the measure back to the Commons, and thus rejected it. For it would now be asked all through the country, "of what use was the House of Lords?" He would say that the essential point to be considered was the effect which the measure would have on the industrious classes. A great deal of hypocritical pretence of care for those classes had been put forward in another place; but he contended that the direct effect of the Bill would be to reduce the value of the productive industry of the labouring classes, for which reduction no compensation would be made by any of its enactments. He was opposed to the measure, because it was another step in the progress of that free trade which he thought could not be carried further without danger, and which if persisted in, would, he was convinced, lead to the absolute and irremediable destruction of the whole industrial and commercial interests of the country. There was another question which he was desirous of putting to the noble Earl near him.

The DUKE of WELLINGTON begged to explain. Their Lordships, he begged to remind them, had uniformly recognised the principle of not altering money clauses in Bills of Supply, and that uniform principle had been acknowledged in the discussion on the Bill which had been lately under discussion in that House.

EARL STANHOPE: What Bill?

The DUKE of WELLINGTON: The Corn Bill; and he begged also to remind their Lordships that they had for 200 years recognised that mode of doing business between the two Houses. He would further beg to remind their Lordships, that the consequences of their altering money clauses in Bills of Supply would be productive of great inconvenience to the country, and would amount, in fact, to a negative and a discontinuance of all the business of Parliament.

The DUKE of RICHMOND begged to remind the noble Duke that he had himself voted with the noble Duke in opposition to the Corn Bill brought in by Mr. Huskisson in the other House, and which had been thrown out in that House.

EARL STANHOPE resumed: The question he wished to ask the noble Earl was (as we understood the noble Lord)—in what quarter had the Government sought for advice upon their measures?—who were the parties, not belonging to the Government, with whom they had consulted?—and what opinions had been expressed by them thereon?

The EARL of DALHOUSIE said, that it certainly was rather amusing to hear the noble Earl thus catechising the Members of Her Majesty's Government, and calling them up one after another to answer questions. On all matters of a public nature, he was quite ready to answer the noble Lord; but when he extended his inquiries so far as to ask who those persons were, not being Members of Her Majesty's Government—who those individuals, other than official, were—who had been consulted by the Government, he might have himself known that it would be a breach of propriety for any Member of the Government to answer him. It would be neither more

nor less than shifting the burden of responsibility from the shoulders of Her Majesty's responsible advisers to those of other and inferior persons, who were altogether irresponsible. The measures brought in by the Government had been proposed upon their own responsibility, after a long and anxious investigation, and much inquiry. They pressed them forward upon their own responsibility, and upon their own responsibility they were now offered to their Lordships' consideration.

EARL STANHOPE only wished to know whether Her Majesty's Government had taken the opinion of any impartial, intelligent, and well-informed persons as to these measures? The late Lord Liverpool was in the habit during the war of consulting every day an eminent capitalist. But it was in vain to argue about this Bill any more than the Corn Bill, such a strange conversion of opinion had taken place on both sides of the House. Their Lordships must take the consequences. There would be a general reaction of public opinion; the principle of free trade would become odious even among the manufacturers; and they would be amongst the first to solicit Parliament to restore that system of protection under which the country had so long flourished, and had acquired such prosperity.

The EARL of RIPON must say, that judging from experience, if eminent merchants had been consulted on this occasion, the result would have been but a collection of contradictory opinions. When the Tariff of 1842 was framed, he and the Vice President of the Board of Trade were occupied for many weeks in hearing the representations of parties upon various points; and some of the results in those instances would show that the noble Earl (Earl Stanhope) might well doubt the accuracy of his views. Among those who were expecting to be ruined were the glovers of Worcester and Yeovil; and he (the Earl of Ripon) in vain told the deputation from that body, that they were chiefly injured by the then high duty, which made it impossible to prevent smuggling, the truth being that the only way to beat the smuggler was to make the trade unprofitable to him; however, the duty was lowered, and in two or three months one of that very party came to him and stated that he had been over to France, and found upon thorough inquiry that they had been quite wrong. Then there were the persons concerned in the Irish provision trade, one of whom was overheard to say as he left the office, "I wonder how the devil those two gentlemen could know so much about salt pork?" The Tariff certainly did that trade no harm. So with the boot and shoe trade: the experiment was said to be a dangerous one; but the whole quantity of boots that came in last year was 14,000 pairs—a quantity that practically made no difference: there was not less leather used here in the manufacture. Then there was the milling interest: they wanted the duty on flour increased; but, if they were ruined, it must have been in years when there was little or no flour imported at all. Therefore, his (the Earl of Ripon's) experience had led him to receive with great doubt all these prophecies of ruin. If all such prophecies made since he had been in office had been fulfilled, there would not be a single branch of national industry that would not have been ruined.

LORD MONTEAGLE thought the House had a right to hear something from the Government upon a subject to which the noble Lord opposite (Lord Stanley) had alluded—the connexion of the present measures with the question of finance—in what condition they expected the finances of the country to be placed when their measures should be carried? Were they prepared to say that after carrying those measures, they anticipated the possibility of the removal of the property tax? In diminishing to such an extent the indirect taxation of the country, was not Parliament making it a matter of inevitable necessity that that heavy burden, for the first time imposed in a period of peace—imposed under an exigency of circumstances, and somewhat in consideration of existing difficulties, and for a definite period, could not be removed at the time specified? He was not saying that it might not be wise and just to continue it; but let the fact be understood; let it be known that in gaining a great commercial good, they were entailing financial difficulties upon themselves. There was but a surplus of 70,000*l.*, and that was shown only by altering the mode of taking the Estimates, and estimating the expenditure in some cases, not for the whole of the year, but for a portion only. The increased consumption had been something of an equivalent for the revenue sacrificed in the reduction of duties: but only a quack could connect this large increase of consumption exclusively with that reduction; it was to be traced to the enormous acti-

vity in trade; the enormous amount of wages paid to the labouring classes; and unless we could rely upon that as a continuing cause, it was clear that, with the present surplus, we could not expect an easy state of the finances. In short, with the reductions now making, there seemed no escape from a continuance of the property tax. He confessed that he was anxious to see these principles of free trade carried out as rapidly and as fully as circumstances would permit; and he grieved that his noble Friend opposite (Lord Stanley), with his great ability and authority, had put himself at the head of the opposite party. The position taken by his noble Friend might weaken his own power, but it could not impede the course of commercial freedom. His noble Friend had said, that repealing the duties on raw materials, whilst a duty on the importation of the manufactured produce was maintained, involved the principle of protection. That was a great fallacy. Their Lordships were bound to repeal the duty on the raw material; because, if a duty was taken on the raw material, a duty was then laid on in the first instance, which became aggravated as the article passed through all its various stages of manufacture; and the amount received by the Exchequer fell infinitely below the amount paid by the public. That was a reason for a repeal of the duty on the raw material, wholly separate and distinct from any consideration of protection; and a repeal of the duty on the raw material was besides only a matter of justice to our manufacturers, who exported the article in a manufactured state. The manufacturers of this country required no protection, and demanded none. His noble Friend had, on a former occasion adverted to the evidence of Messrs. Ashworth and Greg, who he observed had told a Committee that they would be exposed to the competition of America. That was true; but what did Mr. Ashworth add? He said that he was not afraid of the Americans in any market of the world; that there was nothing in the position or skill of British manufacturers to make them afraid of any competition; the British manufacturer had the advantage of railways, canals, coal, iron, skill, industry, and of every element necessary to make cheap goods, and he might rather challenge competition than otherwise. The evidence of Mr. Greg was equally conclusive: he said that America, from her water power, might upon her own soil beat the British manufacturers in some articles; but when the capital and skill of the British manufacturers came into operation with respect to the finer goods, they might then beat America in every country in the world, and in her own markets likewise, if she only opened her ports. Under these circumstances, he (Lord Monteagle) thought it was most extraordinary that the evidence of these gentlemen should be appealed to as establishing that the English manufacturer would be under a free system of trade beaten by the foreign manufacturer. He was ready to admit that there were some faults in this Tariff—some very absurd discriminations kept up between colonial trade and foreign trade; but all the advances made in the direction of freedom of commerce, only proved the necessity of proceeding onward steadily and equally. When they repealed the duty on the export of machinery, in respect to which this country was pre-eminent, and when by so doing they exposed the British manufacturers to a more active competition on the part of their foreign rivals, such a step involved in its consequences everything else that had been done in the way of relaxation of duties. He concurred in what had fallen from the noble Earl (Earl Dalhousie) as to the impossibility of checking and preventing smuggling, whatever amount of vigilance might be used, so long as they held out to the smuggler the inducement of high duties. When, with respect to spirits, for instance, they imposed a duty of 22*s.* a gallon on an article not worth much more than 3*s.* a gallon, could they hope to prevent smuggling? It was said, that by this Tariff they were asked to reduce the duties on luxuries, such as carriages, &c. But it was not a fair and just representation of the case to state the reduction of the duty as a mere benefit to the consumer, for whom the foreign article was imported. How was that article paid for? By British labour, which had been employed on every bale of goods and on every portion of British manufactures sent out of the country to pay for the foreign article. Any attempt to talk of these luxuries of the rich as contradistinguished from the labour of the poor, was just one of those fallacies which might answer very well in poetry, or provoke a cheer when sympathy was appealed to; but which, when the real material interests of mankind were gravely and seriously considered, must go for nothing. It was by labour that those luxu-

ries were purchased, and that labour procured wages for our countrymen.

The MARQUESS of SALISBURY said, that the noble President of the Board of Trade had stated certain things as the result of the Tariff of 1842, which appeared to him the (the Marquess of Salisbury) problematical. He could state, that when the Tariff was altered in 1842, American provisions were used by several of the shipowners of Liverpool for provisioning their ships. By way of experiment, they were used for short voyages; but it was found they did not keep, and the crews returned in a wretched state for want of provisions. What did the shipowners then do? They sent out Irish curers to America, and the American provisions were now cured in the same manner as Irish provisions, and were very generally adopted for ships; and, until Irish provisions could be obtained at as cheap a rate as American, there could be no doubt the latter would continue to be used. The milling trade in the neighbourhood of London had also been entirely destroyed by the operation of the Tariff. He thought there could be no doubt, that if they diminished the revenue derived from duties, they must resort to direct taxation; but did their Lordships believe that, at a time like the present, considering also the war which would be commenced throughout the country against a system of direct taxation, they could afford to relinquish the revenue accruing from protective duties? Those duties, in his opinion, had not only been most effectual in producing a good revenue, but also in affording encouragement and protection to British industry. He conceived that the measures of Her Majesty's Government were tending very materially to reduce the revenue of the country, and would be injurious to its best interests; and on these grounds he objected to the present Bill.

LORD COLCHESTER said, it had been stated that the diminution of revenue occasioned by the reductions of duty proposed by the Government would be made up by the increased importation and consumption of those articles on which the duty was to be reduced. He had not objected to the Tariff of 1842; but the experiment then tried had not been attended with very favourable results with regard to the increased importations anticipated from a reduction of duties. It was true that there had been an increase, but that increase had not been at all in proportion to the increase under the old Tariff. He took from the Parliamentary returns the following facts:—Our exports were, on an average of the five years preceding 1836, 203,000,000; 1841, 250,000,000; 1846, 268,000,000. So that the increase of five years, under the old Tariff, was 47,000,000; under the new, only 18,000,000. Again, the duties imposed by the Tariff of 1842, averaged 20 per cent on manufactures; now 10 per cent was the average proposed, although the American Secretary of State had recommended 20 per cent, as calculated to produce the greatest amount of revenue.

LORD ASHBURTON said, that the measure now before the House would cause so great a reduction in the revenue, that an income tax, which ought to have been reserved for a period of war, would be rendered indispensable in this country during a time of peace. He believed—though he hoped he might be mistaken—that the theory of perpetual and unwearied prosperity of the country, upon which so much reliance had been placed, was entirely fallacious. He did not concur in the broad and general principle—that discovery which seemed to have been made in the present generation—that free-trade principles ought to be indiscriminately applied. He considered that they might be fatal to the industry of this country, and that our policy might not be reciprocated by other nations. He considered that the only justification for the reductiou of duties was when they arrived at such a point that the smuggler came in and deprived the State of its revenue; for he thought it far better that the duty should be reduced, and that the public should obtain the advantage, than that it should be gained by the smuggler. He could not conceive on what ground it was not considered good policy to raise a revenue upon French cambrics or any other article, so long as they could keep the smuggler out of the market; but it must be remembered that much of the extensive smuggling which had recently taken place had been carried on with the connivance of our Custom-house officers.

The Order of the Day for going into Committee, read.

House in Committee accordingly.

On Clause 2,

LORD STANLEY said: I will not repeat what I have so recently stated on this subject, but I shall content myself with stating that this proposed reduction of the duties on foreign timber appears to me to be absolutely throwing away a consider-

able portion of revenue. The duties were reduced within the last three years from 55*s.* to 25*s.* per load; and colonial timber was reduced at the same time to a mere nominal amount, for the purpose, as it was avowedly declared in 1842, of keeping up some relation between foreign and colonial timber. The consequence was, that while the consumption of colonial timber has increased in a very slight degree, that of foreign timber has increased in a very great degree from 700,000 loads to 1,700,000 loads in last year; and now the House is asked in the present state of the revenue to sacrifice, upon the article of foreign timber, 400,000*l.* out of the million which is now brought in. He thought that no serious injury would be done to any one, but great good to the nation, and therefore he would move that this clause be omitted.

The EARL of DALHOUSIE said, the noble Lord was under a misapprehension as to the increased import of foreign timber as compared with Canada timber. If he would look to the Papers on the Table, he would find that of hewn timber there was imported from the Baltic in 1841, 136,000 loads; in 1842, 108,000 loads; and in 1845, 282,000 loads. Of deals, in 1843, 229,000 loads; and in 1845, 342,000 loads. On the other hand, a reference to the accounts of the imports of colonial timber would show that in 1841 the import was 619,000 loads; in 1842, 418,000 loads; and in 1845, 797,000 loads. Of deals there were imported, in 1842, 170,000 loads; and in 1845, 498,000 loads. He could not, therefore, understand how the noble Lord could say that there had not been relatively an increase in the import of colonial timber. With regard to the motives which had induced Her Majesty's Government to propose this reduction of duty, he would not fatigue their Lordships by going into the arguments he had before urged. It was sufficiently shown that the increased import of foreign timber did not prevent the increased import of colonial timber; and as regarded the revenue, all experience in similar cases led to the belief that, notwithstanding the reductions, the increased consumption would ultimately produce at least as much revenue as was received before the change.

EARL STANHOPE observed that the noble Earl had said nothing of the loss of 600,000*l.* of revenue occasioned by the reduction of these duties,

The EARL of DALHOUSIE said, he had already admitted the loss to the revenue; but the consumer had received the benefit of it.

The EARL of GALLOWAY said, the reduction of duty would be a great boon to the agricultural interest.

On Question, that the Clause stand part of the Bill:—Contents 54; Not-Contents 52: Majority 2.

On Clause 6 being put,

The DUKE of RICHMOND rose and said: My Lords, after what has occurred this evening—after the manner in which the petition of the silk weavers has been treated—after calling in proxies to vote on that important question—I cannot think of proceeding with a clause to-night which so materially involves the welfare of the silk trade. I will not be a party to proceeding further with this clause to-night. I do not think I am very unreasonable in asking your Lordships to postpone the discussion upon this clause. I have not had time to prepare the case which I could wish to lay before your Lordships this evening.

The EARL of DALHOUSIE said, he had no objection whatever to the postponement of the clause.

The Committee then went through the Bill as far as the Table of Duties.

House resumed, and adjourned.

HOUSE OF COMMONS,

Monday, June 22, 1846.

MINUTES.] PUBLIC BILLS. 1°. Charitable Trusts; Baths and Washhouses; Western Australia; Ordnance Survey. 3°. and passed. County Works Presentments (Ireland) Amendment.

PETITIONS PRESENTED. By several hon. Members, from various places, praying the House to pass a Bill for Compensating Proprietors of Land for Sites for Free Churches (Scotland), and for securing Accommodation to the Congregations.—By several hon. Members, from a number of places, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on the Sabbath.—By Mr. Stanley, from Clergy of Twrcelyn, in the County of Anglesea, against the Union of the Sees of Saint Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the Newly Erected See of Manchester.—By Sir William Clay, from Manufacturers of Tobacco and Snuff in the Port of London, for Reduction of Duty on Tobacco.—From Inhabitants of the Parish of All Saints, Wandsworth, in the County of Surrey, for Revision and Alteration of the Laws relating to Jurors.—By Mr. Richard Hodgson, from Passengers travelling between Birmingham and Bristol by Railway on the 10th, 11th, and 12th Days of June, and from Persons engaged in the Trade of Public Carriers, for carrying out the Recommendation of Her Majesty's Commissioners, who have lately reported on the Gauge Question, and establish, at the earliest possible Period, a National Uniformity of Gauge.—By Viscount Emlyn, from Commissioners of Supply of the County of Nairn, for the Adoption of Registration of Births, &c. in Scot-

land.—By several hon. Members, from various places, against the Abolition of existing Religious Tests in the Universities of Scotland.

NEW ZEALAND.

MR. C. BULLER rose to put a question to the First Lord of the Treasury, of which he had given notice on Friday. Some time since the right hon. Baronet had been pleased to say that he would give ample notice of the intentions of Government with respect to New Zealand; and he would now perhaps fully acquit him (Mr. C. Buller) of exceeding the limits of his duty when he asked whether it was the intention of Ministers, in the present Session, to bring forward any measure for the government of New Zealand?

SIR R. PEEL replied, that since the subject had been mentioned formerly, his right hon. Friend the Secretary for the Colonies had given a good deal of consideration to the subject. His difficulty in giving a positive answer was now materially diminished by the contents of the recent accounts from New Zealand. On the last occasion he had not been able to give any pledge, because the British troops were then in chase of the enemy; but now there was good reason to hope that the authority of the British Crown had been established. Under these altered circumstances, he had no hesitation in stating his opinion that it would be highly desirable, in the course of the present Session, to bring forward a legislative measure for the government of New Zealand. As to the particular character of the measure, he abstained from giving any opinion. Whether it should be an enacting or an enabling measure, he would not say; but it was the intention of Ministers to introduce some legislative measure before the expiration of the Session.

THE DEAN OF WINDSOR.

MR. RICH: I wish to ask the right hon. Baronet at the head of Her Majesty's Government whether, when he made a recent appointment to the deanery of Windsor, considering the various Acts which within the last ten years have been passed for the repression of non-residence and pluralities amongst the clergy, and more especially considering the Act of the 3rd and 4th of Victoria, for carrying into effect the Report of the Ecclesiastical Commissioners respecting deans and deaneries, as well as heads of colleges and professors in our universities—I ask the right hon. Baronet whether he has considered those clauses by which all future deans were compelled to reside on their deaneries for eight months in the year at the very least; and while they are thus fixed to their deanaries, heads of colleges and professors are sought to be attached to their several duties and universities, by being relieved from those outlying canonries, as of Worcester and others, which were attached to them as part of their salaries, having canonries of Ely or Christ Church, which are part and parcel of the two universities, substituted for them. And, in the same spirit, heads of colleges were relieved from the charge of certain livings which were attached to them, receiving at the same time, compensation; and likewise several deans were, in the same anti-pluralist spirit, relieved from livings that had been attached to them. I ask the right hon. Baronet, whether he has considered that this process was specially applied to the two pieces of preferment concerning which I am inquiring, namely, that the headship of Magdalene College was relieved from the care of souls of the living of Ellington; that by an Order in Council the advowson of it was directed to be sold, the proceeds duly invested, and the interest paid from time to time to the master of Magdalene for the time being, manifestly thereby intimating that the master should have more time and opportunity to devote to his college duties; and the deanery of Windsor was in like manner relieved from the cure of souls, thereby implying that the dean should attend to his duties as dean, and that each of these dignitaries should devote the whole of his attention to his high office. To fulfil the terms of his appointments, Dr. Grenville ought to reside six months of the year at his college, and to be in residence at the deanery in Windsor for eight months. I should be glad to know from the right hon. Baronet by what process the hon. and very rev. gentleman is to compress fourteen months' residence into one year? I must also ask whether either the college of which he is the master, or the Church itself, must not suffer by this arrangement? While fully subscribing to the merits of the hon. and very rev. gentleman, I wish it to be understood that my remarks are directed against the system.

SIR R. PEEL said, that the hon. Gentleman had asked him a question with by far the most complicated preamble, and, although it was contained in one sentence, by far the longest sentence he had ever heard. He did not think it at all desirable

when questions were asked to introduce a great mass of argument; it necessarily justified argument in reply. The period to introduce an argument was, when the hon. Gentleman made his Motion. He protested against the course of the hon. Member, and should content himself merely with answering the question. The law prescribed what preferment should be held by deans. A dean could not hold any other cathedral preferment; but there was no disqualification as to a dean holding the headship of a college. Being acquainted with the character of the present Dean of Windsor, he had recommended him to Her Majesty, and Her Majesty had sanctioned the appointment. He did not make any stipulation as to the resignation of other preferments to which he was entitled by law. If the tenure of the preferment were incompatible with the deanery of Windsor, then the statutes of the college would afford a remedy. The visitor of the college would determine whether or no the tenure of the two were incompatible. If they were, proper steps would be taken that the dean might vacate the appointment. But he had no reason to believe otherwise than that the two appointments were perfectly compatible.

THE SUGAR DUTIES—CONDUCT OF MINISTERS.

The CHANCELLOR OF THE EXCHEQUER said, that on Thursday last, in consideration of the circumstances of the Session, and the time occupied in deliberation upon other measures, he had stated to the House it was his intention, in order that every opportunity should be given for that full discussion which seemed desired on the sugar duties, to propose this day that they be renewed for one month only. He had, at the same time, stated that he would take a course which would not interrupt the progress of that temporary Bill; and, on one hon. Gentleman taking an objection in some measure to his proposal, he had consented to the withdrawal of the objectionable notice, with respect to the reduction in duty, and had contented himself with a notice to renew the duties for a limited period. This notice had been given on Thursday, with a view that if any hon. Gentleman had any other notice to give on the subject, the House might be fully informed of any such intention. It was not, however, until late yesterday evening, at 7 o'clock—that he had received an intimation from the noble Lord the Member for Lynn, that he intended on this (Monday) evening to move, on the House going into Committee on this subject, a resolution to the effect :—

"That the House was of opinion that the introduction of a Sugar Duties Bill for the short period of one month was calculated injuriously to affect the commercial interests of the country, and that it was the duty of Her Majesty's Ministers to have brought it forward at the usual period, and in sufficient time to pass through both Houses of Parliament before the expiration of those duties."

Now, he thought that, on a question of this importance, involving the character and conduct of the Government, and expressing a censure on them, it was desirable that the House should have had information of it having been the intention to bring forward this resolution. At the same time, he had no wish to interfere with the noble Lord in bringing it forward, so as not to interrupt the progress of the sugar duties, that they might be levied after the 5th of July. He had stated to the noble Lord that to bring this on that evening, after the intention with respect to the Protection of Life Ireland Bill had been known, would be inconsistent with the rules which the House had laid down for its guidance ; and to bring forward a resolution of this kind afterwards would only have the effect of interrupting the progress of the Bill, and the first step necessary for the renewal of the sugar duties. If the taking this first step was postponed to Friday—for it was only in the Committee on Ways and Means that it could be moved —there would not remain days sufficient to pass any Sugar Bill whatever before the duties expired. The noble Lord surely could not desire that which would be the inevitable effect of such a proceeding: great loss to the revenue, and great inconvenience to the commerce of the country, consequent upon an interval in which there would be levied no sugar duties whatever, would be the consequence. He thought also he could satisfy the noble Lord that the course before proposed to be taken, would not interfere with proposing his own resolution. If it was desired that, instead of being continued to the 5th of August, the duties should be continued for any lengthened period, there was nothing in the preliminary resolution in the Ways and Means which could prevent that. The resolution merely was that the existing duties should be continued ; and in Committee on the Bill it was in the noble Lord's power to move the making the period of continuance of what, under the circumstances,

was considered advisable. If the object was to pass a censure on Her Majesty Government, it was not necessary that the Motion should be brought forward at the time which had been fixed by the noble Lord, to the interruption of the other measure. The resolution might be moved at any subsequent stage of the proceedings on the Sugar Bill, and the noble Lord's object would then be effected without in any way interfering with the sole object of the Government, that the duties might not drop on the 5th of July. Having given this short explanation to the House, he ventured to hope that the noble Lord would not take the course which he had at first intimated his intention of pursuing; and he must take the liberty of adding, that he thought the House ought to have the fullest notice on the subject.

LORD G. BENTINCK was quite ready to assure the right hon. Gentleman that neither he, nor any of the Friends with whom he acted, had the least wish to see the sugar duties expire on the 5th of July; and the Chancellor of the Exchequer was quite right when he took for granted that the purpose of the resolution, of which a draught had just been read to the House, was to pronounce a censure upon the Queen's Government. The intention and wish was to censure them for leaving to so late a period of the Session the proposed Motion respecting the sugar duties. In his opinion they were greatly to blame for thus putting to hazard three or four millions of the public revenue. The sugar duties appeared to him to be a matter of very great importance; and he certainly should not interpose any obstacle whatever to the continuance of those duties; and he believed that he could answer for his Friends around him that they were quite ready to support any renewal Bill which yielded the existing protection, or to take the duties as they now stood, unaccompanied by the modifications which four or five months ago the right hon. Baronet at the head of the Government had shadowed forth to the House. If the responsible advisers of the Crown thought proper to propose a measure for one year, the course which he should take would be wholly different. They would then have his cordial support, and he doubted not the support also of the Friends by whom he was surrounded, for they, true to the principles which they put forth in 1841, when they turned out the Whig Government, were prepared to protect the produce of our Colonies, as they had shown themselves ready to protect the produce of the mother country. They did not blame the Ministers for proposing to renew the sugar duties; what they blamed them for was putting so large an amount of the revenue to hazard at so late a period of the Session. The effect of treating the matter in the manner proposed by the Government would be to let in 30,000 or 40,000 tons of sugar without paying any duty. He need scarcely remind the House that the Government had only left themselves a margin of 70,000*l.* to meet the demands which unexpectedly might come upon them in the course of the next year; and let the House picture to itself what would be the consequence of allowing three or four millions of revenue to be placed in jeopardy, with only a surplus of 70,000*l.*, and the chance and the probability, if the sugar duties were, in the manner proposed, brought under the consideration of the House, that some hon. Members might extend the debate upon the subject to seven or eight nights, and in that way render it impossible to get the proposed measure through both Houses with sufficient speed. The debate in 1841 was prolonged to eight nights, and the same untoward occurrence might again take place. The Government were in great danger of leaving the country to labour under a deficiency at the end of the year, and therefore did he desire to pass a censure on them for this delay. They had been told that there ought not to be a day's delay in passing some temporary measure. To that he replied, that he and the Friends with whom he acted would not allow such a measure to pass without censuring the Ministers who were thus hanging up the interests both of the East and of the West Indies. Such conduct appeared to be deserving of condemnation; and he was determined that to those who deserved it censure should be dealt out. The House was asked at the present moment to pass those duties for one month; but hon. Members whom he then addressed knew well the state of political matters; they knew very well that at the end of a month the right hon. Baronet might not be a Minister of the Crown; they knew how probable it was that, he no longer being in power, the post of First Minister might devolve upon the noble Lord the Member for London. On his accepting the trust of forming an Administration, the noble Lord must necessarily

propose to the House an adjournment of some duration, for the purpose of gaining time to fill up the vacant offices which the noble Lord must supply with proper persons, and to get himself and his subordinates in the Ministry re-elected as Members of that House. It was obvious, therefore, there would be no time to pass any Sugar Bill. The Government asked a month; but he asked them to let the persons engaged in the sugar trade know what they were about. As to the opposition which he intended to offer to the Government, he could assure the House that it would be no factious opposition; and if a disposition to pass the measure for one year showed itself, then he should consent to suspend the Standing Orders for the purpose of getting the Bill through both Houses of Parliament with the least possible delay; but he should not consent to let any Government escape without censure when they allowed 3,500,000*l.* of revenue to run within fourteen days of expiring before a Bill was brought in for its renewal.

Mr. HUME thought it would be better to settle the sugar duties once for all; but for the present it would be better to pass the duties for one month, and leave the full discussion of them to a future day. If they were to have a differential duty, which he feared must be the case for some short time, he hoped that the Government would let the trade know what they had to expect as soon as possible.

Mr. M. GIBSON said, he should prefer the duty of 19*s.* 10*d.* to leaving the duty as it was. He must say that if the intention of hon. Gentlemen opposite was to injure the revenue, they could not take any course better calculated to produce that result than the course that they were now pursuing. If they wished to carry a vote of censure on the Government, they ought to propose it at once in a straightforward manner. They ought to move an Address to the Crown, setting forth that the House of Commons no longer reposed any confidence in the advisers of the Crown. He must take the liberty of adding that the farmers would not regard the hon. Gentlemen opposite as friends if they continued to insist upon protection for sugar. The farmers wished to see such a monopoly put down.

Mr. BANKES denied that the farmers would disapprove of protection. As long as he and his friends acted upon the principles which they professed, the farmers would support them, even though the course which they took might somewhat militate againt the interest of the farmers as consumers of sugar. He and his friends contended that the delay which the Corn Bill occasioned, formed no excuse for postponing the sugar duties. He deprecated the Corn Bill, but he contended that it formed no reason why the revenue should not be provided for.

Mr. BERNAL complained of the injury to trade occasioned by this delay, and the extreme uncertainty as to when the subject would come under discussion. It would not be brought before a Committee of Ways and Means before Friday next, and the Bill could certainly not be passed before the 5th of July.

The CHANCELLOR of the EXCHEQUER suggested that the wishes of the noble Lord might be accomplished as well at a later day as on the first proposition of the sugar duties in a Committee of Ways and Means. They might allow the House to go into a Committee of Ways and Means, and take the discussion at a future stage of the proceedings.

Lord J. RUSSELL said that, whatever case the noble Lord might make out as to the censure of Ministers, the noble Lord could not reasonably object to a Motion continuing the sugar duties for the present. They might, he thought, now go into a Committee of Ways and Means, and proceed with the Motion at once, which would not take long. The full discussion of the question they might go into at a future time. If the present proposition were postponed till after the discussion on the Protection of Life Bill, there might be danger of not getting into it today; and, considering the notice that had been given, no one could say that he had been taken by surprise. It was unnecessary at that time for him to state his opinion with regard to the censure suggested by the noble Lord or with respect to the sugar duties; but he was very much of the same opinion with the hon. Member for Montrose: they had had two alterations in these duties proposed by Her Majesty's Government; they were about to have a third; and he thought the time was come when they ought to have a permanent arrangement.

Mr. BARKLY said, that the time had arrived when the sugar duties ought to be settled on a comprehensive footing, and he therefore hoped the Chancellor of the Exchequer would carry the Motion of which he had given notice.

MR. JAMES said, it was most desirable that the question of the sugar duties should be placed on a permanent footing, for the different Colonies had suffered greatly from uncertainty, and from having their interests affected, year by year, by the casualties of legislative enactments, or, as he might call it, the lottery of legislation. They had been the bone of contention in party politics, and he hoped this state of things would be put an end to. Under a general system of free trade, our West India connexions could not expect to be eventually an exception to the rule; but considering the alteration which had been made in their affairs by the abolition of slavery, for which they had received only an inadequate remuneration, he thought exemption ought to be made in their favour till the disabilities under which they laboured should be removed.

SIR R. H. INGLIS requested his right hon. Friend the Chancellor of the Exchequer to avail himself of the encouragement afforded to him by both sides of the House, and not to delay the preliminary vote on the temporary renewal of these duties.

The CHANCELLOR OF THE EXCHEQUER was perfectly willing, if it was understood that there would be no opposition, to go into a Committee of Ways and Means to pass the preliminary vote. If the House were prepared to adopt the resolution without discussion under present circumstances, the noble Lord might upon another day enter upon the discussion of which he had given notice.

LORD G. BENTINCK thought he had made himself fully understood when he had stated that he would not be a party to risking the public revenue. He had thought the suggestion he had thrown out might have been adopted by all parties; but if it were not, it was not the intention of himself, or of his Friend the hon. Member for Westmoreland, to interpose the Motion of which he had given notice on any stage of the Sugar Duties Bill; he would not be the cause of any delay, but he would take a future opportunity of proposing a direct vote of the character to which he had referred.

The CHANCELLOR OF THE EXCHEQUER would take the vote after the discussion on the adjourned debate. ["No, no:" "Move, move."] Well, then, he would move the Order of the Day on the Committee of Ways and Means.

The House in Committee of Ways and Means; a Resolution that the duties now payable on sugars be further continued, was agreed to.

House resumed.

Resolution to be reported.

PROTECTION OF LIFE (IRELAND) BILL—ADJOURNED DEBATE (FIFTH NIGHT).

The EARL of LINCOLN moved the Order of the Day for the resumption of this debate.

MR. S. CRAWFORD rose to oppose the Bill, though he was concerned to vote in opposition to the right hon. Gentleman at the head of the Government at a time when, in his judgment, he had been unjustly assailed and unnecessarily persecuted. He congratulated the right hon. Gentleman, however, on the triumphant manner in which he had disposed of these most undeserved attacks. He should, indeed, go into the same lobby with several hon. Gentlemen opposite; but he had not any feeling in common with them, who had upon every occasion supported measures which he deemed oppressive to Ireland, who had always opposed any enlargement of the rights of the Irish people, and who, failing to damage the measures of the Prime Minister, had tried to damage the man. The people of England, however, would protect a man unjustly attacked alike from open assaults and from treacherous assailants, who blamed the Government for the delay they had themselves interposed. He hoped and trusted that he should give a fair and not a factious opposition to this Bill. He must say that it was not fit for the purpose for which it was intended. He would, in the first place, point out its defects; and, secondly, state what measures he thought would be useful for the suppression of crime. He would ask hon. Members to consider well the real embarrassments which must arise from such regulations as these. The peasants were to be confined in their houses for an hour after sunset to sunrise; and it would be impossible for them to carry on their business as farmers without subjecting them to the chance of transportation imposed as the punishment for this offence. The Bill prevented the parties from going to the farm offices outside their dwellings, though the care of cattle required the peasant to be out at all hours of the night, and cows and sheep required constant attention. Again, if the peasant worked out for hire, how was it possible for him to attend to his duty, which required him to be out long after and before the hours men-

tioned in the Bill? In the shortest days they worked during twilight, and had then three or four hours to go home. It would be impossible, therefore, for them to avoid these penalties; and supposing any one entertained a malicious feeling against a man, or the magistrates or the police had a dislike to a particular individual, it would be totally impossible for him, if he was watched, to escape. At the trial the questio raised would be, whether he was out on his lawful business; he would then have to apply to these very magistrates and police for a character; and the sentence passed would be proportioned to the character thus given by these irresponsible parties. Then, how was the hour to be defined? The hour of sunset and sunrise varied every day; and how was it possible to guard the peasantry from vexatious charges if there were a malicious disposition against them? Was it safe to put such a power in the hands of the police and magistrates? He asked, without meaning to cast any offensive imputation, whether, after the experience they had had in Ireland of the conduct of the magistrates, it was safe to place such a power in their hands? Looking at the state of Ireland, torn by political and religious dissensions, was it safe to give such an irresponsible power? Would they place such a power in the hands of the English magistrates against the English people? It was a repeal of the Habeas Corpus Act in the worst mode. It was a greater hardship than the curfew bell of the Conqueror; for then the people had only to put out their fires; they were not liable to transportation for going out of their houses; and the bell was sounded as a warning to them; whilst, under this Bill, there was no signal; and the peasants were left completely at the mercy of those who might have animosity against them. What would be the consequences to a poor man's family if he were transported? They would be left in utter destitution. In common fairness the families ought to be sent out with them if such a Bill passed. Again, it was in direct contravention of the legal rule that every man should be considered innocent till he was proved guilty; and yet it would be no remedy for the great and alarming evil of Ireland, the murders perpetrated in noonday, which indicated the most vicious state of society. At the same time, he was bound, in justice to the present Government, to say that the Bill was founded on precedents before established; and he gave the Government credit when he said, that if they had not found precedent Acts of former times of a like character, they would never have proposed such a measure; and he must say also, that there were precedents, not only in the Acts of Tory Governments, but in Bills proposed and passed by a Government which generally acted on principles of political liberty. The Bill of 1835 was the same in principle as this; but that Bill was supported by the Liberal Members of the Irish body; and in 1837, when he moved for the repeal of that Bill, he could only assemble five Members in favour of his Motion, two of whom were English Members. Not that he wished to impugn the motives of the Government of that day, or of the Irish Members who supported them in the course they took; but it was a most unfortunate precedent, and they were to blame for that precedent being now acted upon by the present Government. It was, however, a pleasing thing to see the change that had taken place in the opinions and feelings of Members of that House, both on the one side and the other. He rejoiced to see that change; and he only recurred to former occurrences to show that they had produced many of the evils that were now complained of. It appeared that seventeen Coercion Bills had been passed at different times for the purpose of pacifying Ireland; but those Bills had been of no use; and it was now time that some other system should be tried. Now, what was the condition of Ireland? Murders were committed there to a frightful extent; and the persons who committed them were, to a certain degree, protected. The combinations for that purpose defied the efforts of all morality, as well as the efforts of those persons who had such influence over Ireland. All their exertions had been directed to prevent these agrarian disturbances, but without effect. What, then, was the cause of such a state of things? The whole community had no other means of support than land. From the confiscations that had taken place in former times a hostile proprietary had been created; and there was no controlling them so as to prevent their oppressing the people, besides the competition for land having increased that excitation to the greatest degree. If they looked to the Report of the Landlord and Tenant Commission, they would find that in some counties in Ireland—as, for example, in Roscommon—there was a mixture of large holdings, for the purpose of grazing, with small holdings, generally held

by tenants of those who possessed the former. It was true that the farmers gave to their tenants sites for houses; but they never felt the necessity of providing them with employment. Then, in his judgment, they could do nothing to ameliorate the condition of the people but by creating a responsibility on the part of the land proprietors and the large farmers for providing employment and subsistence for those people, and that could only be done by a well-organized Poor Law on the principle of the Act of Elizabeth. Had it not been for that Poor Law, England would have been in as bad a condition as Ireland was at this day; but the present Poor Law was in no way effective in providing employment; it gave relief to the aged and infirm; but it did not do that which a Poor Law should do — provide employment for the people. In this country, Poor Laws had existed for a large number of years; and yet they heard nothing of the confiscations of property that had been so much dreaded. The amount raised in this country for the purpose of the Poor Laws was 5,000,000*l.* only, whilst the property of England was not less than 100,000,000*l.* It did not amount to 1*s.* in the pound of the whole property. Why, then, was it to be dreaded in Ireland? He admitted that the Government had brought in various remedial measures for Ireland, and he gave them credit for it; but there were none of them that would act with sufficient speed to perform the objects they had in view. As for the Landlord and Tenants Bill, he would not go into that upon the present occasion; but he must object to it, because it gave no protection to the existing interests of the tenantry, and would not, in itself, tend to pacify the Irish people. He would admit that effective measures of police were necessary to accompany remedial measures for Ireland; but why not adopt the principle of the institutions of Alfred? By them the country was made the guardian of its own peace; the whole country was guarded by its own inhabitants, and had one interest in the preservation of its peace; and without such a system they never could have an effective means of establishing the law. But if he opposed this measure, he thought he was bound to show what measures were in his opinion required for the present condition of Ireland. Now, he should propose that the disturbed districts should be divided into certain divisions, and that each division should be suitable for a police station; that a register should be kept of the inhabitants of every house in the division; that the inhabitants of each division should be called upon to perform the duty of special constables, according to the provisions of the 2d William IV., c. 108, and should be summoned upon an appointed day to patrol under the orders of the police; that fines upon a graduated scale should be enforced for non-compliance, and that each station should be furnished with constables' staves, &c. He would also give to the controlling magistrates and to the constabulary power to arrest and detain all suspicious persons by night or day, and to take them before a magistrate within twenty-four hours; and if an offence were committed and not discovered within thirty days, a fine should be imposed upon a district, according to the institutions of Alfred. He should also propose that in case a person was present when an offence was committed, and within a reasonable time omitted to use his best exertions to prevent an outrage being committed, such person should be guilty of a misdemeanor, and be punishable accordingly. Also that the magistracy should hold a daily court in each disturbed district By those means they would by degrees render the people the guardians of their own peace; and they would adopt a constitutional means of taxation in each district. He would then propose that agricultural schools should be established. He knew that the Board of Education had to a certain extent taken in hand to establish agricultural schools, but those were only county schools, and one in each county— it was only insufficient for the wants of the people, and he would recommend that an agricultural school should be established in every parish. He thought that nothing would tend more to the improvement of Ireland than such a system. But he regretted that such a measure as this had proceeded from the Government, from whom he acknowledged the country had received so much benefit; and whilst he was under the necessity of opposing them upon this measure, he must disclaim any wish by that opposition to defeat any other objects they had in view. To the English Members he would say, let them act in respect to this measure on the principle of doing to others as they would be done by, and he would put it to them whether they would pass such a measure as this for England? He would conclude by calling upon the House not to pass this Coercion Bill, but to adopt some remedial measures for

Ireland, and not to give the magistrates of Ireland powers which they would refuse to entrust to the magistracy of England.

Mr. SEYMER said, that the noble Lord the Member for the city of London, with the skill of a tactician, having supported the first reading of this Bill, concluded that the period had now arrived when, by mustering his own party, and calculating upon the support of hon. Gentlemen on the opposite side of the House, he might succeed in placing Her Majesty's Ministers in a minority, and his own party upon their seats on the Treasury bench. He would therefore inquire what was the nature of the Bill on which this great party division was to take place? Had hon. Members opposite read the Bill? They argued as if all Ireland were to be placed by it for all time in a state of coercion. But the Bill was temporary, and its powers would expire in 1849, while its operation was local and partial, and under the control of the Lord Lieutenant. Neither did it follow because the Bill was to be enacted, that it was ever to be enforced against any county, parish, or person in Ireland. Such a Bill he was willing to concede to the present Ministry, because its government of Ireland seemed to be dictated by a just and generous spirit. That, at least, was the opinion entertained as to the Maynooth Bill, and which was so expressed by the hon. Member for Cork, and other hon. Members. He then had no fear that they would abuse the powers given to them by this Bill. He would adopt the language of the hon. Baronet the Member for the University of Oxford, and say, that as long as parts of Ireland remained in their present state, he would give the powers confered under this Bill to any Government that obtained the confidence of Her Majesty, because if they abused those powers the people of England and Scotland would not allow a week to elapse without driving that oppressive Government from office. They would naturally conclude that what was the fate of Ireland this week, might be their own the next. He found hon. Members fond of talking of "justice to Ireland;" but he asked such persons had they no sense of the denial of justice to the families of those persons who were murdered in the open day, by the murderers receiving refuge in the districts in which they committed the crime, and whose claim to the hospitality of neighbours and strangers was that they were murderers? He had heard these things said in the presence of Irish Members, and not denied by them. If such were the state of Ireland, it must be plain that if Parliament did not interfere, private revenge would take the place of public justice. What, he asked, was the amount of liberty in the disturbed districts, when he found in one of these counties—Roscommon—the following cases to have occurred in the course of the present year? One man compelled to give over grazing on his master's land; another forced to pay money to a wife and not to her husband, to whom the money was due; a third forbidden to let land to strangers; a fourth prohibited from marrying a widow for whom a different person had proposed; and the fifth, a stranger, forbidden to take land. Thus they saw a servant not allowed to take care of his master's property, a man not suffered to marry the wife he chose, and a third forbidden to pay money to where it was due. Here they found all the rights of property in abeyance. But then, it was said that the state of Ireland was considerably improved of late. He doubted if it were much better; and if it were, then the improvement might be attributed to fear of the Coercion Bill. It might afford hon. Members in that House (who, he was sure, had no communication with these cowardly assassins) arguments in opposing this Bill. The outrages might be discontinued for a time; but he feared, when Parliament was no longer sitting, that these outrages would be renewed when the power would no longer exist for putting them down. Another argument that had been used against this Bill was, that there was a great deal of crime in England, and no such means of suppression were devised. He admitted that most atrocious crimes were committed in England; but then hon. Members ought to remember that most of the murders in England were committed in secret; those committed in Ireland were perpetrated in the open day. Now, a greater number of the murders committed in secret in England were prosecuted to conviction, than of the murders committed in Ireland in the open day. This fact showed that there was no analogy between crime in England and in Ireland. He admitted that there ought to be remedial measures for Ireland; but they were not agreed as to these remedial measures; and even if they were, these measures could not come into immediate operation, and never could be carried into complete effect until they had resident proprietors in Ireland. But how were they to have resident

proprietors? Some hon. Members proposed a tax upon absentees. ["No!"] He had certainly heard of such a tax elsewhere; but he thought he could suggest a tax as efficacious as that on absentees—it was a tax upon agitators. He thought a handsome revenue could be derived from that tax; and out of it, he thought, should be paid a premium upon those who had the courage to reside upon and improve their estates in Ireland. The hon. Member for Pomfret (Mr. M. Milnes) asked them if they would not pay some attention to the opinions of the Irish Members—a term generally applied to Members from all parts of Ireland but the north; but when he was asked to give value to their opinions, he also remembered that those Members were opposed to the Union ["No, no!"] At least the most of them were, and those that were not, he had heard were under notice to quit, unless they would mend their ways. Another argument used was, that the Whigs would govern Ireland without a Coercion Bill. That might be a very good argument for those who placed confidence in the Whigs, and who would intrust themselves to the guidance of the noble Lord the Member for London, of whom it had been said by a very good authority that "he was ready to take command of the Channel fleet;" but he for one objected to sail under the noble Lord's orders. It had been stated that the present Bill would only prevent murders by night, and that a majority of the crimes of this description were committed by day. He did not think that statement correct. The murders of magistrates, and of gentlemen of that class, were perpetrated by day, because they did not leave their houses at night; but the majority of murders were committed upon poor farmers by night. There were eighty-five cases of firing into dwellings—a crime which was mostly committed at night. Upon the subject of this Bill there was a division among hon. Members sitting upon the protection benches. He protested against its being imagined that he was a lukewarm protectionist, because he intended to support Her Majesty's Government upon this Bill. He was as strongly attached to protection as any of his hon. Friends around him; and he should have been glad if by his vote he could have placed Her Majesty's Government in a minority upon the Corn Bill. But why should he, as a protectionist, be called on to oppose Her Majesty's Government upon a question in which he believed them to be entirely in the right, in order to bring into power a Government still more strongly attached to the principles of free trade—a Government that would not give them even the three years' protection clause of the Ministerial Corn Bill, and which would offer an official place to the hon. Member for Stockport? He should not object to seeing that hon. Member in the Ministry; because, if they were to have bad measures, they would at least have the consolation of having them supported by good speeches. Nothing had surprised him more than the strong personal feeling evinced on the subject of this Bill by some of his hon. Friends around him. He had asked one of them how he meant to vote on this Bill. His reply was, "I mean to take the straight course, and vote against the Bill." Now, he thought his hon. Friend was not about to take a straight course, if he voted for the first reading, and was going to vote against the second. He, having voted for the first reading, meant to vote for the second reading also; and if his hon. Friend would not call his a straight course, he would call his hon. Friend's a crooked course. He had heard his hon. Friends near him say, "We count on so many honest men and true, who will vote against the Coercion Bill." He felt his face becoming hot when he was told this. Were they who supported the Bill not honest and true men? What pledge had he ever given that he would not support a Coercion Bill? He said, confidently, that in supporting this Bill he should vote with his party; for he was persuaded that more protectionists would vote with the right hon. Baronet in favour of this Bill, than with the noble Lord opposite against it. By the Ministerial party he had been told, "We are glad you are going to vote like a gentleman on this Coercion Bill." These strong personal feelings, on both sides, would lead one to suppose that there was infused into the question a little of the leaven of the *odium theologicum*, which raged inversely with the difference of opinion. The comments made by the right hon. Gentleman the Secretary at War (Mr. S. Herbert) had been adverted to. He had known that right hon. Gentleman for several years, and was convinced that he would never take any course that was not perfectly consistent and honourable—and every Member of the protectionist party would probably say as much for those Ministerialists with whom he was personally intimate—yet, when the

Ministerial party was spoken of by some of his Friends the protectionists, the right hon. Gentleman with the rest, they were called all sorts of hard names. The use of these might, indeed, be sanctioned by the example of Mr. Fox, and of other great orators in bygone days; but nobody would ever persuade him that they were necessary for the purposes of free discussion, or should be introduced into the debates of that House. The opinion he entertained on that point was aptly and tersely expressed in a few words by a Latin poet—*Decipit exemplar vitiis imitabile;* which, in reference to the example of Mr. Fox, he might freely translate, "Imitate his eloquence if you can, but not his violent language." He, for his own part, being of a somewhat lethargic temperament, or of what medical men called a lymphatic temperament, had no disposition to apply to hon. Gentlemen the strong language which he had heard used in that House; and should Her Majesty's present Government remain in office, he thought the party with which he was connected would be able to conduct their opposition without the use of hard words, though some hon. Gentlemen might suppose abstinence from such language altogether incompatible with party warfare. He trusted that the bitterness of party spirit would soon be assuaged. It was with great regret that he found himself differing on this question from many hon. Gentlemen with whom he had hitherto acted; but it was without the slightest hesitation as to the propriety of the course he was taking, that he expressed his intention to vote against the Amendment of the hon. Baronet the Member for Drogheda, and in favour of the second reading of the Bill.

Mr. CALEB POWELL never heard a speech which showed more utter ignorance of the condition of Ireland and the Irish people than that which had just been delivered. The speech of the hon. Member for Oxfordshire (Mr. Henley) the other evening, was, however, one which it was much more gratifying to turn to. It was, in his opinion, one of the ablest that he had ever heard in that House. The hon. Gentleman had dissected the returns which had been laid on the Table, and on which the present measure was supported. He had shown that out of 2,000 offences, there were no less than 805 under the head of "threatening notices," and of these only three had been followed by the commission of outrage. He was, therefore, justified in regarding these threatening notices not so much as waste paper, but as emanating from the scouts of the police. That was not the case with England. They had recently an instance in the case of M'Dowall, the late master of the Andover Union workhouse, who was violently assaulted while returning home, after watching the proceedings in the House of Commons; and there were many other instances of a similar character which he might bring forward that happened in this country, and which would justify him in saying that the right hon. Gentleman ought to have brought forward a Coercion Bill for his own country, instead of one for Ireland. He confessed he could not imagine a greater satire on the Irish policy of Her Majesty's Government than this measure. Under it, policemen of the most ill-conducted and evil-disposed habits, such as they had an instance of in the newspapers the other day, were to be invested with authority for violating the personal liberty of the inhabitants in every district to which the Lord Lieutenant was pleased to extend the Act. The present Government found Ireland, in 1841, in a state of perfect political and social tranquillity, because the constituted authorities had the confidence of the people; but the Government of the right hon. Baronet commenced by selecting for the highest situations in the law individuals who were the most obnoxious in the country, and who had been for years among the foremost vilifiers of the people and religion of Ireland. He was sorry not to see the hon. Member for Wiltshire (Mr. Benett) in his place, as he wished to allude to an expression that had fallen from that hon. Gentleman in the course of this debate. The hon. Gentleman expressed a wish to have the advocacy of the repeal of the Union, or, in other words, the advocacy of a repeal of an Act of Parliament, made high treason. Now he, in advocating repeal, regarded it as an inevitable event; and yet there was no Gentleman in that House more anxious than he was for a long connexion between the two countries. He believed the principles which he advocated were better calculated to maintain that connexion than those of the party opposite. He believed that connexion was highly necessary for the welfare of both countries, and he expressed that opinion whenever he advocated the repeal of the Union in Ireland. The hon. Gentleman seemed to think that repeal of the Union meant a dismember-

ment of the Empire; but he had got a fact as a reply to the hon. Gentleman's assertion, and that was, that a domestic Legislature continued in Ireland, co-existent with British connexion, for a period of 420 years. But to return to the Coercion Bill, and to the 800 and odd threatening notices with which it was supported. On his return from Ireland recently, he found a letter addressed to him at the House of Commons, which contained at the top an allusion about "coming death to the Saxon foe." Underneath was a coffin and cross bones, with the inscription, "Powell's surtout," and the words, "Here is your fate if you vote for the bloody Coercion Bill." Now, that letter was of course only a hoax; and he had no doubt but that a large proportion of the 805 threatening notices were of a similar character. During the existence of the former Government, informers were discouraged; but since the accession of Her Majesty's present Ministry they had again become numerous, and were known in the country by the name of Paddy M'Kews. It should also be recollected that the individual who had called the Irish people "aliens in blood, in language, and in religion," had been elevated to the highest judicial position among the English people, and that the press of England had been in the habit of describing eight millions of the Irish people as a filthy and felonious rabble; while their clergy, many of whom he had the pleasure of knowing, and who, for learning and piety, might rank with any class of men in Her Majesty's dominions, were described as "surpliced ruffians," and a "demon priesthood." These exhibitions of hostility to Ireland had, besides, been made use of by the right hon. Baronet in ousting his political opponents. He hoped the hon. Gentleman who preceded him, and who proposed to impose a tax on agitators, would include the members of the Anti-Corn-Law League in his plan; and then if the English people were found to submit to such a system, the people of Ireland could not fairly complain of it. The fact was, he believed, that social order could be maintained in Ireland by the existing laws, if fairly administered, and by a Government in whom the people had confidence; but he also believed Her Majesty's present advisers had not the least chance of regaining the confidence of the Irish people, and that they could not do anything more gratifying to the inhabitants of that country than to resign office.

MR. W. R. COLLETT said, he should give his decided support to the Bill. He would be no party to any political move. The state of Ireland had not changed since the first reading of this Bill, to which he had given his support. No doubt the introduction of the measure had had the effect of producing a temporary lull, but no real change had taken place in the disposition of those lawless individuals by whom the outrages were perpetrated. He was the owner of some slate quarries in the worst part of Tipperary, where nearly a thousand persons were either directly or indirectly employed; and he knew that robberies and outrages accompanied with violence were constantly perpetrated in that district by ruffians with their faces blackened. He only wished that he were at the head of a troop of cavalry or a body of police, that he might have the opportunity of hunting them down. It was in reference to such districts as this that the Lord Lieutenant ought to be invested with the powers conferred by this Bill; and if hon. Members who opposed the Bill knew as much of Ireland as he did, they would see the necessity which existed for such an enactment. It was idle to say that the Bill was directed against the Irish people —it was directed solely against these bands of lawless marauders; and he maintained that the Government were as much justified in resorting to it, as the Governments of Rome or Naples were justified in taking measures to capture the bands of robbers by which their territories were infested. He knew that the outrages in Ireland amounted to 365 in a year; in fact, that twenty-four hours never passed without the occurrence of some robbery or assassination in the district from the silver mines and the quarries down to the Shannon, and this had gone on for the last eight years. He thought that if the police had the power to take into custody suspicious looking characters, it would have a great effect in repressing the commission of these outrages. How such criminals could meet with any sympathy amongst their fellow countrymen surpassed his comprehension; but the fact was undoubted, that these murderers and assassins were shielded from the consequences of their crimes. Why, he knew the exact price of robbery and assassination in Tipperary. He knew that 2*l.* 10*s.* was the sum paid if the individual singled out was not shot, and 6*l.* 10*s.* if the shot took effect. He had embarked a large sum in Tipperary, partly with the

view of benefiting himself, and partly for the purpose of benefiting that part of Ireland. As to any profit to himself that had long ceased to exist—for the last six years; but he as an Englishman should think himself highly culpable if, through his means, 500 men accustomed to handle gunpowder and pickaxes were turned suddenly upon the county without employment. If this Bill should not pass a second reading, he believed that an unheard-of amount of crime would be the result. He believed that a temporary measure would be sufficient to meet the evil; and he hoped that an extended intercourse by means of railroads would do much, in the course of a few years, to mitigate the feelings which led to these outrages. Ireland only required to be fostered and cherished, but the law must be enforced. He had been warned not to go to Ireland, although he had never used a single harsh expression to any of its inhabitants, and most conscientiously desired to promote their welfare. For many years, ever since he had the honour of representing Cashel, he had taken a great interest in Ireland, and had done his utmost to forward its interests, and it was heartbreaking to meet with such a return. He asked those who repudiated this as an unconstitutional measure, by what means they proposed to protect life and property in Ireland? Every Monday morning he received dreadful accounts of outrages and violence from Ireland; and he never sent his secretary from the quarries to Limerick for money that he was not stopped on the road. He was surprised to hear that the days of the present Ministry were at an end. He had expressed his want of confidence in them as regarded the corn question; but should any other question come before them, whether it were their national or their foreign policy, it would be his greatest pride to give them his support.

Mr. HALSEY said: Sir, I will not trespass long upon the patience of the House; but I wish to state the reasons which induce me to oppose this measure. I gave my vote in support of the first reading, not because I acquiesced in the principle of the Bill, but because I felt that courtesy and justice demanded that we should not refuse to take into consideration a measure recommended to our deliberation in a Speech from the Throne, and handed down to us from another House of Parliament; but I did this, feeling that it remained open to us afterwards to form our opinions upon the merits and principles of the measure. I oppose this measure, first, because I do not think that it is called for by the present circumstances of Ireland. I grant that the amount of crime and outrage in that unhappy country is most horrible; but I maintain that the positive amount of crime, taken by itself, is no test of the necessity for a Coercion Bill, or else we should have to make the Bill perpetual and not temporary; but the question for our consideration is, whether the increase in the amount of crime is so rapid and so violent as to defy the resources of the common law. I will not enter into those statistics which so many hon. Members have gone through before me; but I will only say, that I have looked into those blue books and returns which have been laid before us; and I confess that I cannot there see such recent increase in the amount of crime as would, in my opinion, justify this Bill. But we are told that the common resources of the law have failed. How have they failed? We hear much about the intimidation of witnesses, and the sympathy with the criminal so generally evinced; but is this Bill calculated to afford a remedy for these evils? It is true that there is one clause relating to the intimidation of witnesses; but that is merely a penal clause, and affords no facility for the detection of the offender. And the Bill itself contains so much that is irritating to the innocent as well as the guilty, that in my opinion it will strongly tend to increase the sympathy now felt for the criminal, and will thus render more frequent the intimidation of witnesses. Besides all this, if it is necessary to ask for these unconstitutional powers, I confess that I have a strong objection to entrust them into the hands of the ordinary executives of the law: it is a direct encouragement for them not to rely on their own energy and activity, aided by the powers of the law, but to come to us in any difficulty, and to ask for extraordinary powers: it is not the way to teach them to combine moderation with firmness; but it will encourage them to carry matters with a high hand, and not to seek to conciliate the affections of peaceable subjects. I do not charge the Irish police with all this; on the contrary, I believe that they have very generally performed most difficult duties with equal temper and firmness; but I do not believe that this Bill is likely to encourage them to persevere in their present good conduct. I do not wish to enter into personalities; the

motives and intentions of Her Majesty's Ministers are for their own consciences; but the public conduct of public men is a fair subject for comment; and in their conduct I confess I have found strong inducement to oppose this Bill. They told us that they should make this measure dependent upon the success of their Corn Law. Now, I cannot acknowledge that there can be any connexion whatever between a temporary measure, justified only by urgent and immediate necessity, and purporting to protect life and property, and a mere commercial scheme which is to come to maturity in three years. We know that a gift delayed loses half its grace. This measure, if now carried, will have lost half its power in the repression of crime; but will have acquired a power of irritation as regards the Irish peasantry, which will not be allayed for years to come. As I said, I do not pretend to judge of the motives of Her Majesty's Ministers. I do not say that the state of Ireland does not, in their opinion, require such a measure; but I do say, if such is their real opinion, that their remissness is most culpable. In such a case, delay is not less than a crime. They may be actuated by good intentions; but good intentions not regulated by fixed principles are more likely to lead to evil than good, and certainly deserve no confidence. The events of this Session have inspired me with more than distrust of Her Majesty's Ministers; and I will not assist to place irresponsible and unconstitutional powers in the hands of those in whose stability and in whose principles I can place no confidence whatever. For these reasons I shall give to this Bill my hearty and honest opposition.

MR. V. STUART did not rise to deny the existence of crime to a very fearful extent in Ireland. He admitted the existence of crime, and the necessity of punishing the criminals; but he would not be carried away by what was nothing more than a panic, and heedlessly vote for a measure, the effect of which would and must be to increase the evils which it was intended to put down. The policy of the present Government, as of too many other Governments, had been to bring the common law into disrepute, to teach the people to rely for aid and protection on violent remedies. The object should be to inculcate a feeling in favour of the ordinary law, where it was not to be found; and where such a feeling did operate, to leave the people to themselves. It was not to be wondered at that the people of Ireland had no confidence in the law, when that law was constantly being superseded by a temporary and violent legislation, permanent only in its evil effects. Was obedience to the law a natural feeling? He thought not: there must be a conviction that it was a good law before the people to whom it applied would be in favour of it; and for that reason all law should be based in justice. There were few such laws in Ireland: Judges from the benches in Ireland told them that the law of landlord and tenant was for the good of the one, and to the injury of the other—beneficial to the landlord, and opposed to the interests of the people; and as the people felt as well as learned the truth of this, it could not be expected that they should show anything but hostility to those who governed them. The practical effect of that law was most destructive; it placed immense power in the hands of individuals; and, as the frequent ejectments of tenantry proved, that power was often turned to bad and unjustifiable purposes. A necessary sequence of extensive crime was the system of depending for the procuring of evidence upon offering large rewards; but nothing could be worse than such a system. There was in Ireland a horror universally felt of an informer; and could anything prove more strongly than the stigma which was attached to the man who assisted in carrying out the law, that the law was in itself bad? The present Bill would undoubtedly produce a temporary lull; but it would be that lull which preceded the storm; and instead of proving a remedy it would be found to be an aggravation. They had long failed in their attempts to govern Ireland; they had tried many systems; and their only chance now was—to make their laws just, and their punishments merciful. Let coercion be forgotten in this new code, and Ireland would cease to be pronounced their "greatest difficulty."

MR. ROEBUCK, in accordance with all the principles which had hitherto directed his political career, should give his vote against this Bill. All modes of legislation, all Bills and Acts of this description, were mischievous: first, because they were inefficacious; and, next, because if efficacious in some measure, they were much more efficacious for evil than good. And when he looked to the state of the people of Ireland, and also to the past history of that country, his feeling became stronger as to the injustice and folly of such a measure as the present. For, was this a novel experiment in

the government of Ireland? Had the experiment been confined to one party, or had it been tried by all? The House knew it was not a novel experiment; that for the last eighty years all parties had been trying coercive laws; and that every such attempt had been followed by increased disturbance. In speaking to the right hon. Gentlemen opposite who brought forward the present Bill, he must say a word as to their motives. He believed their motives to be as pure as motives could be, and that their intention was, it could not be doubted, to provide means for the security of life and property in Ireland. But though he conceded to them, completely and frankly, all the benefit they could derive from the admission, he must discuss the question with them as to the propriety of the means they were about to take to attain that beneficial end. It was useless to hide from themselves that Ireland was in a fearful state for herself as well as for England. She was threatened with many calamities. The greatest that could befall her would be separation from England. However it might be thought that the miseries of Ireland had been created by the dominion of England, still he believed her sole hope to be in her connexion with this country, and that if to-morrow saw the separation, civil war and misery would run throught the land. ["No, no!"] Hon. Gentlemen said "no." He hoped they would never try the experiment. The consequences would be disastrous to themselves as well as to the poor peasant. It was, however, useless for the House to hide from itself that Ireland had for ages been misgoverned, and it was impossible to say that this Bill was not in continuance of the same bad system. The people of Ireland had been always treated as a conquered people: the consequence of this treatment was, that doubt and distrust were created in their minds as to England's laws and dominion. A large portion of the miseries now afflicting the people arose from this state of mind. What, then, ought to be the course of the Legislature? Violent diseases, it was said, required violent remedies; but he denied the illustration, physically, morally, and intellectually. He recommended, on the contrary, mildness and gentleness; and he told the House that unless the people of Ireland had confidence in their justice and their laws, all coercion would fail. He would therefore ask hon. Members seriously to consider the means best calculated to improve the state of the popular mind. Let them come forward with a wise, well-considered, large, and generous policy, for you could only make them love you by being just. If hon. Members considered the effect of this Bill, he could not for a moment doubt what vote they would give. Hon. Gentlemen opposite declared that they could not support the present Bill, because they had no confidence in Her Majesty's Government; but it by no means followed that they would not themselves, should they ever come into power, propose the same measure. He perceived that one of their great leaders shook his head. He meant the hon. Member for Evesham, and doubtless the hon. Member was deeply in their counsels. But he recollected a speech made by the noble Lord the Member for Lynn, upon the first reading of this Bill, when he declared that the blood of every murder which took place in Ireland, whilst that Bill was under discussion, would be upon the heads of those who opposed it. And why was it that the right hon. Gentleman did not possess the confidence of the noble Lord? Because he had done one great thing for the people—because he had freed trade from the shackles which formerly surrounded it—because he had passed a measure through that House which the people of this country desired—because, in fact, of the generous and liberal spirit which the right hon. Baronet had evinced. There was also another set of opponents to this Bill—he alluded to the Members of the Opposition, from whom he thought the House and the country deserved some explanation as to the change of their opinions. He was in that House in 1833, when, under Lord Grey's Administration and with the support of the noble Lord the Member for London, and of the right hon. Gentleman on his side of the House, a Coercion Bill was passed, the like of which never disgraced the Statute-books of this country. He heard the noble Lord express surprise that the right hon. Gentleman, in adopting his opinions, had not expressed some sort of regret for having found fault with him upon a former occasion for holding the same opinion. He remembered also that the majority of those who supported the Bill under Earl Grey's Administration did not hesitate to reproach, with almost opprobrium, all who opposed the Ministerial legislation. Now, however, the noble Lord had taken up other views, and he had not expressed the slightest regret that he had before blamed others for

holding the self-same opinions which he now entertained himself. But more than that. In 1833, that outrageous Bill, with its court-martial clauses, its sunset clauses, and its domiciliary visits, lasted till 1835. [Lord JOHN RUSSELL: One year.] He could show how it was. That Bill passed by a large majority. It was opposed only by a large section of the Members for Ireland, and by a very minute section of English Members, of whom he was one. In 1834, the Whigs ceased to exist; but, in 1835, having ousted the right hon. Baronet, the Whigs again came in under Lord Melbourne, and on August 1, 1835, another Coercion Bill was introduced. He admitted that it was much modified and less arbitrary than the former Bill; but Coercion Bills seemed to get milder and milder—each more modified than its predecessor — the present, he hoped, would be the last that they should see. Before, however, he consented to aid in bringing in any other Government in the place of the right hon. Gentleman, he must have a distinct assurance from them that they would not bring in a similar Bill. The Bill of 1835 contained some remarkable clauses. There was the famous sunset clause, and the power of domiciliary visits. Now he regarded that as a very bad species of legislation; but when he applied to the authorities on Irish matters for their opinions—to the hon. and learned Member for Cork, for example—what did he find to be his opinion with respect to that very sunset clause? And the House must remember that that Bill of 1835 was far more stringent than the present measure. The hon. and learned Member for Cork upon that occasion said he thought—

"That this Bill was calculated to meet an exceeding great evil, in the suppression of disturbances which at present disfigured the whole face of society in that country. What he alluded to were the agrarian disturbances, which, although they generally originated in some acts of local oppression, spread with the force and rapidity of infection, bringing within their vortex many who would willingly keep themselves aloof if they could. The Bill introduced by the noble Lord dispensed with the old system of special commissions, than which nothing in his opinion could be more objectionable. Those Commissions inquired into cases of outrage, of the perpetration of which, unhappily, there could be no doubt. The only doubt was as to the perpetrator; and in detecting this, these tribunals were most defective. He verily believed that the special commissions retaliated by day the blood shed by night, and that in very many instances innocent parties suffered. The present Bill, if he had rightly understood it, directed the meeting of the magistrates at sessions to deal with actual cases of offences against the laws, and also authorized them to keep these persons within doors who were found out at night without being able to give a good account of themselves. Whilst it gave protection where it was wanted, the Bill took from no man the right of being tried by a jury. Its only infringement upon public liberty was the power given, as he had already observed, to deal with persons who went out by night, having no lawful business to take them out; and if it should be effectual in suppressing this most baneful practice, it would have a most salutary operation, and produce the greatest benefit in Ireland. He felt convinced that the Bill would work well. He only wished its provisions had gone a little further, and that it had proceeded to touch those affiliated societies which existed in Ireland, and flourished in spite of the law, but which it was the bounden duty of the law to put down."

What did the hon. Member for Meath, a member also of the Repeal Association, say upon the same occasion? The hon. Member said—

"It was impossible for His Majesty's Government to allow things to go on as at present in the north of Ireland, where there was not security either for life or property. [*Cheers.*] He would ask the Gentleman who cheered, and the hon. and gallant Officer (Colonel Percival) among them, whether they had any connection with the north of Ireland? He himself happened to have some connection with it; and when he heard the hon. and gallant Officer inquiring whether certain individuals in Monaghan had not been acquitted, he felt tempted to say, with Sir Frederick Stone, that to appeal to the north of Ireland for redress for an Orange injury was a farce."

[Mr. H. GRATTAN had voted against the measure.] From the hon. Member's words he should certainly have thought that he had approved of the Bill. If the hon. Member said he opposed it, however, that was, of course, enough. But he wished to ask a question of the noble Lord the Member for London, who had lately, and only lately, discovered that these principles of legislation were injurious. It was said—and he thought it right to be perfectly frank and explicit upon the subject—he trusted the noble Lord would not take offence at the question he was about to ask; but he thought it was due to the country and to the noble Lord himself, that the question should be asked — it was said that during last winter, if the noble Lord had succeeded in forming a Government upon the resignation of the right hon. Baronet, that Lord Besborough was to have been Lord Lieutenant of Ireland upon the express understanding that he should go on with the Coercion Bill. [Lord J. RUSSELL: It is entirely false.] If the noble Lord said it was entirely false, that at once put an end to that report, and he had done the noble Lord a service by asking the ques-

tion. But he had not yet done. The present Bill was introduced by the Government into the House of Lords. Who had supported it in the House of Lords? Why, the most earnest supporters of the noble Lord were the supporters of the Bill. He contended, then, that he had a right to believe that they would sanction another Bill of the same sort if the Administration were changed to-morrow. He found, upon this occasion, two parties voting in conjunction against this Bill, who had never voted together before; and he must say that he looked upon such a combination with something like suspicion. The change of the noble Lord's opinion was, no doubt, an honourable change; but it came at an inopportune time, and with an inopportune effect, for with the present combination of parties, he feared that they could expect but little which would tend to the real benefit of the country. The noble Lord was not in a position to govern this country by the aid of the friends upon his own side of the House. The consequence would be the disruption of the Liberal party; the result would be the same as in 1840, 1841, and 1842—the bringing in of measures only to reject them, an attempt at governing by a minority, and losing credit, in fact, every day with the country. If the protectionists should by any extraordinary freak of fortune ever occupy the Treasury benches, the House would very soon show them what the value of their position was. If the country should receive from the noble Lord an assurance that he was willing, as a wise, generous, and comprehensive statesman, to propose great remedial measures for Ireland, sure he was that the confidence of the country in the noble Lord and his party would be greatly increased; but if this subject were to be made the vehicle of a mere party move to obtain office without deserving it, and without being able to maintain it, it would be a disgrace to all concerned, and to none so disgraceful as to those who had reaped every advantage from the liberal policy of the right hon. Baronet, who could make such a return for one of the greatest boons a Minister ever gave—a boon so great as to gain for that Minister the universal and well-deserved approbation of the country.

Lord J. MANNERS said: I wish, Sir, it were in my power to dissipate one tithe of the fears and suspicions which so oppress the hon. and learned Member for Bath, or to clear up one tithe of the mysterious and contradictory circumstances of the past, to which he has alluded; but I cannot, and must confine myself to answering the direct challenge he has thrown out to Gentlemen who, sitting on this side of the House, are prepared to vote against the measure now under discussion. In answer to that challenge, then, I tell him that my objection to this Bill, is an objection of principle; and, were it not for the language of the hon. and learned Member, and the insinuations that are so plentifully dealt in both within and without these walls, I should have been content to give a silent vote in accordance within my Tory principles against this Whig measure. I object, in the first place, to this measure, as being alien and abhorrent to the principle of English Toryism. Indeed, the hon. Member for Bath admitted that it was to Whigs and Whiggism that we owe Irish Coercion Bills; and if I refer to history, and ask how the great founder of that Irish Tory party which I will hope still exists; how "he who writ the Drapier's Letters;" for whose condemnation the Whig Minister of the day offered a reward of 600*l.*; who devoted his brilliant genius and great talents to the cause of Irish freedom and Irish nationality — if I ask how Dean Swift, and those great men who were associated with him, would have treated such a measure as this, my judgment must be given against it. Again; if I refer to those statesmen who have left the impress of their wisdom and their principles on the history and traditions of their country—to Strafford and Ormonde, Clanricarde and Tyrconnell, Bolingbroke and Wyndham, and guide myself by their examples, how can I arrive at a conclusion favourable to the spirit of this Bill? Nor, Sir, if quitting the past I approach the future, am I willing to associate Toryism with such miserable remnants of Whig legislation and Whig tyranny as this proposal is a part of; and, therefore, unless some overwhelming case of necessity can be established, without any hesitation I should vote against the second reading of this Bill. Well, then, is this necessity proved? I cannot discover it in the statistics and returns submitted to us by the Government. I will not weary the House by quoting a single figure, or alluding to a single return, but will content myself with saying that, having paid attention to that evidence, to my mind the case is not proved; but that if any hon. Gentleman, after weighing that evidence and studying the speeches of the noble Lords the Mem-

bers for London and Lynn, and of the hon. Member for Oxfordshire, comes to a different conclusion, why, in Heaven's name, let him vote for the Bill. But I know it may be said there are cases in which a Government is not justified in laying bare before the public eye the crimes and disaffection of a whole population, and this may be one of those cases: but then, Sir, I apprehend we invariably find in the conduct of the Government that evidence which its proofs and language do not supply. Now, have we such supplementary evidence on this occasion? I wish to argue this question in the fairest and most courteous manner with the Government; and I will therefore admit—and it is a very large admission—I will admit that, entertaining the convictions they did, it was right for them to pass the Corn Bill through the House of Commons, before they proceeded with this measure that is to protect life and property in Ireland. Well, for argument's sake, I make that admission; but of what service to the Government is that enormous concession, unless followed by another which it is absolutely impossible to grant? To justify your delay in pressing on this measure (if you are really convinced of its great importance), I must not only concede that you were right in postponing it to the Corn Bill, but also to the Tariff; and I ask any one—the hon. and learned Member who spoke last, or the keenest Leaguer in or out of the House—I ask him how he can say, or I believe, that it was necessary for the salvation of the Empire, to deprive the framework knitter of Leicestershire, the paper stainer of London, or the Spitalfields weaver of protection, before you afforded it to life and property in Ireland? Whether I look, then, at the statistics of crime in Ireland, or the practical commentary on them afforded by the conduct of Her Majesty's Ministers, I deny the existence of any overwhelming necessity. But even admitting the necessity to be proved—admitting all the hon. Member for Lincoln (Mr. Collett) has said to be correct, I have to ask myself this question before I consent to this Bill—will its provisions meet that necessity? And, Sir, I have listened in vain during all these long debates for any arguments that should convince me they will. In the first place, I observe that many of the powers conferred by this Bill are already possessed by the Irish Government, and that stripping the Bill of this superfluous garniture, what do we find as the real practical provision which is to secure life and property in Ireland? Why, that which has been called the Curfew Clause. All the crimes, therefore, which are committed in the open day will remain untouched, unprevented by this Bill, which, indeed, should be called, not "a Bill for the Protection of Life and Property in Ireland," but "a Bill for the Protection of Life and Property in Ireland during the night time;" supposing, that is, that this curfew clause will really protect them during the night: for, Sir, I own it seems to me at least doubtful whether those hardened miscreants who are not now deterred by a sense of the guilt they bring on their own souls, nor yet by the rigours and penalties of existing laws, will be deterred from their settled purpose of crime by the addition of another law to the Statute-book. It seems to me that those whom this law will retain in their houses from sunset to sunrise will be the peaceable, the orderly, the well-affected, and that thus the field will be left all the more open for those determined villains who will brave your new, as they have braved your old laws, to perpetrate their crimes, which might perhaps be prevented or discovered had you not by this law deprived of the opportunity of witnessing them the orderly and loyal. And what will be the effect of such enactment on the minds of those who, knowing themselves to be innocent, are yet subjected to this odious and harassing confinement? Surely, Sir, if this curfew clause fails to intimidate, it cannot fail to exasperate and alienate from Imperial rule those whom there is no need to alienate still more. But, indeed, most Irish Gentlemen on this side of the House whom I have heard express an opinion on this Bill, have acknowledged it to be impotent for good; and yet they ask us to vote for it, and intend to vote for it themselves, on what, were it not for the melancholy dignity of the subject, I should call the very Irish ground of "anything being better than nothing." Now, Sir, I will ask these Gentlemen, before they vote for a measure which they themselves do not like—which is most abhorrent to the people among whom they live—which is opposed by every Irish Member save one, on the opposite benches, and by a great body of those English Gentlemen with whom they ordinarily act—on such a ground, to consider carefully what that "something" is they meant to support, and what that "nothing" is of which

they speak so slightingly. That "something" is a Bill such as I have described this Bill to be, and that "nothing" than which a curfew clause is said to be better, is nothing more and nothing less than the laws and constitution of this imperial realm. No, Sir, I cannot consent on such a plea as that to vote for this measure. But there is another consideration which I am told weighs with many, and ought to weigh with me, in favour of this Whig measure of coercion. I am asked to support it as a proof of confidence in Government. Now, Sir, it has been my fate ever since I came into Parliament to have had serious differences with Her Majesty's Ministers; and whenever those differences have demanded it, I have never hesitated to vote against the right hon. Gentleman, whilst I have always given a hearty and zealous support to those measures which have accorded with my principles and convictions; and did I believe that this Bill was a right, and just, and wise measure, I should heartily support it: but believing it to be exactly the reverse, I cannot consent to show a late confidence in the Government by voting for a measure of which I althogether disapprove. I now come, Sir, to a very delicate subject, which I should fear to touch at all had not the eloquent peroration of the speech of the noble Lord the Member for the city of London, and a great portion of that which we have just heard from the hon. and learned Member for Bath, made it one of public interest. That hon. and learned Member stated, as he always does, his views on this delicate and grave matter, very ingeniously and very cleverly; but I own I think the aspect under which the noble Lord presented it to us, was the most consistent with fact. Rumours then are afloat that so great is the affection of certain influential Gentlemen opposite for free trade in general, and this free-trade Government in particular, that they intend to vote for this measure, although they detest it, in order to keep this Ministry in power. It was not long ago that I was obliged to call the attention of the working men of the north to the admission of their free-trade rulers that the price they would have to pay for the establishment of free trade was two additional labours of labour per diem. And now, Sir, it appears, if these rumours are well founded, that the price the Irish peasantry will pay for that unknown blessing is the deprivation of their liberty, and confinement from sunset to sunrise. I hope, Sir, that if this be, and this Bill be carried by such votes, those Gentlemen who act as the guides and instructors of the Irish people, and by whose extraordinary influence that peasantry has been reconciled to a repeal of the Corn Laws, will not fail, when asked by the peasant of Connemara, or farmer of Leitrim, "Why is it that I, loyal, peaceable, well-affected, am deprived of my liberty, shut up in my miserable hovel from sunset to sunrise, debarred from innocent recreation after a day of toil?" to answer, and answer truly, "You are thus treated, not because English Liberals, as they call themselves, thought you deserved such treatment, but in order that free trade may be established, and your oats sold at rather a lower price." Well, Sir, none of these considerations can induce me to vote for this Bill, which I think, and have now assigned my reasons for thinking, unnecessary, and if necessary, inapt for its own purposes. I shall give, therefore, an unhesitating vote against the second reading, in the hope and expectation that the rejection of this Bill will not be the mere temporary rejection of an odious and tyrannical specimen of exploded Whig legislation, or cause solely the substitute of one Whig Government for another, but that it will lead to kindlier feelings and juster sentiments: to a re-establishment of those ties of sympathy and affection that, in other days, bound the two great national parties together; and thus, in the words of my hon. Friend, the Member for Pontefract, secure the real Union between England and Ireland.

Sir J. GRAHAM: I did not rise immediately after the hon. and learned Member for Bath, thinking that some hon. Gentlemen on the opposite side of the House would probably have been disposed to take that opportunity of replying to him; and I can sincerely say that I gave up that opportunity of addressing the House with some reluctance, when I remembered that, since the noble Lord the Member for London had spoken upon the present question, no Member of Her Majesty's Government had addressed this House in defence or vindication of the measure now under discussion. It is therefore on this account, as well as for other reasons, which cannot fail very readily to suggest themselves to the minds of hon. Members, that I now rise, under some danger, I fear, of wearying the House; but I beg to say, that I

have very little to add to what has been already said in support of the Bill at present under consideration; and I think I shall best discharge the duty which I have thus commenced, by proceeding with it now rather than at any subsequent period of this debate. I shall begin by observing, that I do not take up this measure as one fully defensible upon grounds of abstract or constitutional right. I have heard it said that this Bill is highly unconstitutional. I admit that it may be so considered; and I admit, likewise, that it is quite incumbent upon the responsible advisers of the Crown to make out and prove a case of clear and undeniable necessity; and I am at the same time most anxious, in establishing that necessity, to avoid as much as possible any cause of irritation, and to divest the present discussion of anything like party acrimony. The House, I am sure, will bear in mind that the Bill now before them is by no means a novel measure; but I am most unwilling to advert to the past; I am, on the contrary, more desirous of applying myself to those points which prove the necessity of the Bill that we propose to bring forward for the better government of Ireland. I hope, however, that the House will allow me to advert to one remark made by the hon. Member for Bath. I quite agree with that hon. and learned Gentleman in thinking that that doctrine is most unsound which declares that violent maladies necessarily require violent remedies; and I quite concur with him, and with all hon. Members who think we are called upon to establish an absolute necessity for the enactment of this Bill. In the course of the present discussion, much has been said of the delay in passing this measure, or rather in not urging it forward. In reference, however, to the remarks made upon this subject, I must do the hon. Member for Lambeth the justice to say that he did not exceed the fair limits of debate, and that upon the whole his manner of treating this measure was somewhat different from that of other hon. Members at the opposite side of the House. The noble Lord the Member for London took a different view of the subject. He thought that we ought to have laid before the House a temporary measure with respect to Ireland, and a temporary measure with respect to the importation of foreign corn. Now, in my opinion, and I persuade myself in the opinion of the House likewise, there is no policy more unsound than that which proceeds upon temporary measures. [Lord J. RUSSELL: The Government proposed such measures in the month of November.] I will not be led away from the question properly under the consideration of the House, by interlocutory remarks, into an angry controversy on topics which have no necessary connexion with the present subject of debate. The case to which the noble Lord refers is one dissimilar—utterly unlike the measure now under discussion, and proposed under totally different circumstances. The proposition in the month of November last had reference to the abrogation of the existing Corn Law, and the substitution for it of one by which an article of the first necessity should be introduced into this country. Now, it so happens that the Government fully and signally succeeded in that which formed our primary object. The question of the Tariff was indissolubly connected with the Corn Bill from its first introduction; and if Her Majesty's Government had for a moment hesitated with respect to either, we must have signally failed. It must be remembered, that when this Bill first came from the other House, at the end of March, the hon. Baronet the Member for Drogheda proposed that it should be postponed until after the other Orders of the Day; and the noble Lord opposite gave his decided support to that proposition, thereby promoting to the uttermost of his power a delay greater than that which has taken place. I should further observe that the Government, having to deal with the abrogation of the Corn Laws, and endeavouring to obtain the consent of Parliament to that measure, had to make a decision not unusual on the part of Ministers. They had to press that which was of primary importance, and to postpone that which they considered to be of secondary importance. I have already stated that, with reference to Ireland, from the destitution which existed in many districts of that country in an article of prime necessity for life, it was of the greatest importance, both for Ireland, when the distress prevailed, and for Great Britain, where the people are called upon to contribute aid to that distress, that the first consideration of Parliament this Session should be directed to an alteration of the Corn Laws. That was my opinion at the commencement of the Session, and at this moment I have no reason whatever to take another view of the subject; but I still regard the passing of the Corn Importation Bill as the primary object. If that be admitted, I think it cannot be shown that there has

been any unnecessary or avoidable delay on the part of the Government in urging this measure on the careful consideration of Parliament. Thus much as to the first point of delay. I said that this question rested mainly upon evidence ; that it is a question of necessity, and that it must rest upon facts. I am very unwilling to go over the ground again, or to refer to the details which have been introduced into this discussion, more than I cannot avoid. But attempts have been made to cut down the facts of this case by speeches on both sides of the House; and it is therefore absolutely necessary, with the indulgence of the House, that I should restate some of the principal facts, and establish what I believe to be incapable of refutation, that in certain parts of Ireland, even up to the present moment, crime dangerous to life and property is increasing to a fearful extent. It has been attempted to show that whatever was the case with reference to the disturbed counties, in respect to the whole of Ireland crime is not on the increase. I said on a former occasion, what I now repeat, that happily it is no part of my duty to prefer an indictment against the Irish people generally, for, comparing the crimes committed in 1845 with those committed in 1844, throughout the whole of Ireland, as to a large proportion of the Irish people, crime has not increased to such an extent as to justify the passing of this Bill, and therefore I rest this measure mainly upon the condition of the five counties I specified before, namely, Tipperary, Roscommon, Clare, Leitrim, and Limerick; and I also must add, that the tendency of crimes of this description, unless checked, is to spread rapidly, and they will spread, and have already spread, into the counties adjacent. I should wish, in the first place, to call the attention of the House to the small proportion which the population of these five counties bears to the population of the whole of Ireland. The population of the whole of Ireland is 8,500,000 ; whilst the population of the five counties to which I have referred is somewhere about 1,400,000, or one-sixth of the whole. I must beg you to observe also the area of these five counties as compared with the area of the whole of Ireland. The area of the whole of Ireland is 20,000,000 acres ; the area of the five counties is 3,500,000. I would also wish to state, that concurring in the observations made upon the other side with reference to threatening notices, I exclude them from the comparison of crimes which I am about to institute. I think the hon. Gentleman who spoke with great ability on this side of the House—I mean the Member for Dorsetshire (Mr. Seymer)—made an observation as to threatening notices well worthy of attention. I do not think that in the present condition of Ireland, threatening notices are to be treated as casual offences. When crimes of a murderous character are also rife, threatening notices are to be regarded in a different light from that in which they would be in those different parts of the country where crimes of that description are of rare occurrence ; and I am prepared to omit from the enumeration I am about to make all reference to threatening notices. I must also remark, in reference to what has fallen from an hon. Member on the opposite side, that the returns from which I shall quote are made according to the established mode of the constabulary returns. Now observe that the total crimes in the five disturbed counties of Ireland, in the first five months of 1846, excluding threatening notices, was 1,074; and the same return for the same five counties, for the same period in 1845, was 1,330; being an increase in crime of 25 per cent, that is, in crime of every description. Now, I will take crimes of an insurrectionary and agrarian character ; and in the first five months of 1845 the number was 779 ; whereas, in 1846, for the same period, it was 933, showing an increase of 20 per cent. I should wish to carry this enumeration still further ; and I will specify the crimes concerning which I wish to institute a comparison, and they are crimes either of a murderous or insurrectionary character. They are nine in number—homicide, violence to the person, aggravated assault, assault endangering life, demand and robbing of arms, bearing arms, unlawful oaths, attacking houses, malicious injury of property, and firing into dwellings. I will begin with the crime of homicide. In 1845, in the same five counties, the number was 20. In 1846 it was 28. In the whole of Ireland, in 1846, they were 78 ; and therefore these five counties bore to the whole of Ireland the proportion of 36 per cent. Of violence to the person, they are in the proportion to the whole of Ireland of 68 per cent. In the five counties the aggravated assaults are in the proportion of 48 per cent to the whole of Ireland. Of assault endangering life they are 38 per cent; of demanding and robbing of arms, 72 ; of appearing in

arms, 80; of unlawful oaths, 87; of attacking houses, 69; of malicious injury to property, 38; and of firing into dwellings, a most serious and murderous crime, 79; and taking these nine crimes in the year 1845, for the first five months in the same five counties, the aggregate of such crimes is 665; in 1846 the aggregate is 872, whilst, as I said, the total number in Ireland was, in the same five months in the year 1846, 1,446; and therefore the proportion which these counties bear to all Ireland in offences of this description in the first five months of the present year, the population of these counties being only one-sixth of the whole, was 66 per cent. Now it has been observed, and I think by the hon. Member for Newark, that this Bill, even if effectual, can only be so against crimes committed by night; and the noble Lord the Member for Durham assented to the proposition. A return was made to the other House, in which there were enumerated the crimes of homicide or attempts to murder, and in which also the precise hour when the offence was committed is given. With regard to homicide, there has been committed by day, between sunrise and sunset, between the 1st of January and 25th of May, 27 homicides; and 48 between sunset and sunrise, showing that the majority of murders is committed by night and not by day. But the attempts at murder are more remarkable still; there were only 13 between sunrise and sunset, whereas there were 45 between sunset and sunrise; showing that a large majority of the offences against which this Bill is directed has been committed by night, and not by day. I do not wish to dwell invidiously upon another part of the statements the hon. Baronet made; but it is necessary that I should advert to it. Something was said of a comparison between the homicides committed in England and in Ireland between 1841 and 1845. Now the average number of homicides in England was 110, for a population of 16,000,000; and it must be observed that in the criminal returns of England, infanticide is included under the head of homicide, and that nearly one-half of the crimes classed as homicides in England were cases of infanticide; but in Ireland the average number of homicides, excluding infanticides, was 128; that is, whilst the homicides of England were only as 1 to 150,000 of the population, during the same period the homicides in Ireland were as 1 to 64. I also beg to call the attention of the House to the comparison of convictions in England upon this crime of homicide being as one in three and three-quarters, whereas in Ireland it is only as one in eight and a half. And when it is said that crime of this description is at the present moment suspended in the disturbed districts to which I have alluded, I can only say that I have this very day received an account of a most atrocious murder in the county of Clare. It is from the report of Sir Charles O'Donnell, on the 18th of June, to the Commander in Chief, giving an account, in that district, in the last month, of four murders of a most distressing and outrageous character; and I can assure the House that upon the whole, murderous attacks of this fatal description have not been suspended since I last addressed the House upon this measure. [Mr. POWELL: In what part of Clare?] I beg pardon of the House, for, on looking at the report, I find that it was in the county of Galway. [Mr. SHEIL: That is not one of the five counties.] But it is immediately on the border. I will read the account:—

"I have to state that on last night, about the hour of one o'clock, two men came to the house of Patrick Hill, of Bolay, demanded admittance, and asked for something to eat. Hill was in the act of getting some bread for them, when they broke in the door, and told him they wanted to speak with him outside. Hill requested they would allow him time to put on his smallclothes. They replied that they would not detain him many minutes. When they got him outside, they brought him a distance of about forty yards from his house, and there inflicted several bayonet wounds on his body; his wife (who remained in the house with a young child) heard his screams, and ran to his assistance. When she came to where her husband was, he was prostrate on the ground; one of the party knocked her down; after which the unfortunate man (Hill) received a stroke of a stone on the chest which almost immediately deprived him of life. I can furnish no further particulars at present. Deceased's wife is in a state of distraction, and no other person has come forward as yet."

If the hon. Gentleman really doubts this account, I think it will be my duty to read a part of the report from Sir C. O'Donnell up to the 18th June. There is an account of one murder, I think, in Roscommon; one, I think, in Westmeath; three in Leitrim, and four in Clare, all enumerated, and the details are given in the report of the last month. This brings me to recollect the observation made by the noble Lord the Member for London with respect to the case of Leitrim; and the noble Lord and some other hon. Gentlemen observed that the success of the measures taken by the Government in re-

spect to Leitrim, demonstrated, in their opinion, that this measure was unnecessary. Now the population of the five counties is 1,400,000; of Leitrim it is less than 200,000, whilst the area of that county is only 192,000 acres; so that, with reference to the population and the area, Leitrim forms but a small proportion, and it is quite possible, with reference to such a small locality, for the Government to concentrate its force, and to use means of repression, which become impracticable when applied to a larger area. It is true, that by the measures introduced by the Government of which Lord Morpeth was the Secretary for Ireland, that the Lord Lieutenant may proclaim a district, and may add to the police; yet that power of addition is not unlimited, but under the Act of Parliament is subject to restriction. With respect also to the military, how is it possible for the Government to distribute over five counties the military force in annihilating numbers as they did over a single county, such as Leitrim? Again, I must observe that the measures taken with regard to Leitrim were adopted last summer, when it was possible by patrols during the night, and in encampments to exercise a commanding power over the population; but measures such as those adopted in Leitrim, I can assure the noble Lord, are, to the best of my judgment, entirely inapplicable to the larger area of these five counties. Even with respect to Leitrim, several murders have recently occurred there; and if the noble Lord the Member for that county were in his place, I should appeal to him with confidence whether the condition of Leitrim negatives the necessity of the measure I am now pressing on the notice of the House. Then with respect to Roscommon: I know not whether the Member for that county is present; if he be, I would appeal to him whether he is not cognizant of this fact, that in the course of the last spring a particular tenant did receive notice that he was not at liberty to plough a certain piece of land which had been transferred to him under a legal contract? A threatening notice was conveyed to him which he dared not disobey; some of the landlords offered to lend him their teams of horses to plough the land; an application was made to the Government, that the danger attending the life of the men who went with those teams of horses was such that the Government should give permission that policemen in plain clothes should perform the operation of ploughing the land; the Government refused, and much blame was attached to them for that refusal. This I mention as a fact which occurred in March last, and I believe the hon. Member for Roscommon is cognizant of all the circumstances. Something has been said of the social intercourse in Ireland not being interrupted — that these statements are greatly exaggerated, or altogether fictitious. [Mr. C. Powell: Hear.] Has the hon. Gentleman read a Paper now on the Table of the House, furnished by Colonel Macgregor to the Irish Government? I am talking now of Roscommon. I will read the account of the gentleman himself, writing to the stipendiary magistrate:—

"Currestona, March 13, 1846.

"My dear Wray—Having dined at Mr. Harry Browne's, at Leabeg, last night, and having previously received several threatening notices to be on my guard, I ordered a patrol of three men—viz., Constable Baskaville, Sub-constable Geoghagan, and Sub-constable Gorman, to be at my house about nine o'clock, to watch the neighbourhood; and as Leabeg road was one upon which it was necessary to patrol, I requested they would call at Mr. Browne's for me, and escort me home; they did call as desired, about ten o'clock, and I accompanied them back towards my home. At about a quarter of a mile from my residence, and as we were proceeding quietly along, we heard the sound of footsteps, as if a party of men were running, and in about half a minute we came up with four men, armed with long guns and a piece of a scythe, whom we challenged; they immediately stopped, and we made them prisoners, each of us taking one and their arms. While endeavouring to secure them, they attempted to rescue themselves; two succeeded by knocking me down, and made off to their party that was on before them, which, to the best of our opinion and what we could learn from the neighbours, numbered at least 200 men, and in the meantime the other two escaped; Sub-constable Gorman having followed one of them by my orders, came up with the main body, who immediately cried out, 'Come on, boys? Will you see our men taken? They are only four' (we were four). We then retreated, the whole body following, and having attempted to make an entry into the house of a man named Luke Cowen, the party cried out to surround us, and to come in our rear, in which they succeeded, and whilst I and the police were endeavouring to force an entry, there were several shots fired at us, which happily did not take effect beyond breaking the windows and furniture of the house. Having made our entry, we placed a man at each door, and one at a window with bayonets fixed. We remained quiet, and in a few moments we thought we saw the end of the house on fire, which proved to be true; and lighted sods of turf being placed in each corner of the thatch of the house, we momentarily expected to be either burnt to death or suffocated, and at the same time knowing that if we left the house we should be shot as we came out. Most fortunately the man of the house opened the door and called the neighbours, and commenced putting out his fur-

niture. After some time they, evidently very reluctantly, came to our assistance, being in dread and terror of their lives, and succeeded in tearing down the burning thatch, which eventually proved our safety. We remained in a state of defence at Cowen's house from half-past ten o'clock p.m. until eight this morning, when, having reconnoitred, we proceeded to my residence, and, having dressed myself, proceeded to the barrack at Ballintubber, and, having reinforced our party, started to Castlerea, to lay the details of this gross and unparalleled outrage in this hitherto peaceable neighbourhood before you. I cannot close this anything but exaggerated report without higly eulogizing the gallant, steady, and determined conduct of the police, who, placed in such imminent peril, displayed such coolness and bravery as contributed greatly to the preservation of our lives; and, although overpowered by a large party, succeeded in holding possession of the house (and scythe) until daybreak. I beg leave to bring under the notice of Government the excellent conduct of two men named Concannon, who, at the risk of their lives, helped to quench the fire over our heads, but for which we should have been consumed, or shot in endeavouring to make our escape, as resistance would have been useless, from the smallness of our party, and the numbers and determination of the assailants. I regret, from the darkness of the night, and the perilous situation we were placed in, we could not identify any of the parties."

Here, then, is a picture of social intercourse in Ireland, of the happy conclusion of an evening spent in dining with a neighbour, and visiting a friend. I have had a careful examination made of these returns, and find that the homicides in four years, 1842, 1843, 1844, and 1845, were 513 altogether, which, deducting 67 women, leaves a total of 446 men. And is it true, as has been asserted, that the labouring classes are not the sufferers, or are they not rather the principal sufferers from the state of crime that you are called on to prevent? Out of 446 homicides, 261 are those of persons in the labouring class of life, servants, woodrangers, and herds; 91 are farmers and their sons; 13 are bailiffs and land stewards; and 10 only are in the situation of gentlemen. This state of tyranny and oppression falls therefore mainly on the peasantry. Of the attempts at murder, after deducting twenty women, there remain the cases of 436 men. Of these 94 were farmers and their sons, 87 woodrangers, &c., 45 land stewards, &c., and 39 were gentlemen. The hon. Member for Waterford has stated that this measure has been forced on the Government by party feeling in Ireland, and that it is not the result of our conviction of its necessity. I can assure the hon. Member that such is not the case. Throughout the summer and autumn of last year, Government continued to receive from the grand juries, from the deputy lieutenants, and from the magistrates of Ireland, without distinction of party, the strongest assurances that a measure of this kind was absolutely required. I admit the reluctance with which I listened to to these suggestions; I admit the unconstitutional character of this measure; and nothing but the strongest conviction of the necessity of such a measure induced me to be a party to its introduction. A great deal has been said about the grievances of Ireland, and that we should endeavour to remove by measures of an opposite character all the grievances in the first instance. The noble Lord the Member for the city of London said what I admit, generally speaking, is the case, that these crimes do not for the most part spring from religious or political differences. I admit that poverty and competition for land are the originating and primary causes of these crimes. But though that may be their origin, it is important to bear in mind what are the admissions made by hon. Members from Ireland. Hon. Members may carp at our measures; but they admit that society is disorganized in the districts in which it is proposed to apply this Bill, and that, from whatever cause, the whole framework of society is shaken and disturbed. The noble Lord having said, that the cause of the outrages was neither political nor religious, glanced at the measures necessary in his opinion for the tranquillization of Ireland. The noble Lord dealt with the question whether the relief of able-bodied men out of the poor rate was necessary; and I agree with the noble Lord that an indiscriminate relief of the able-bodied out of the poor rate is not a remedy to be recommended at this unhappy crisis. The noble Lord then considered the question of the cultivation of waste lands, and he expressed himself in favour of some measure of this kind. Now the noble Lord must be aware, that for the space of forty years this subject had been entertained by every Government in succession. I do not say that it does not afford some means of relief if judiciously adopted; but how the noble Lord thinks it a measure of present relief from the evils we are now discussing, I cannot imagine. Her Majesty's Government have introduced a measure on the law of landlord and tenant which is now on the Table of the House. We are told that a law on the subject of distraint and ejectment is required; but I do not believe

that such a measure, further than we have carried it, can be adopted, consistently with the rights of property. If it can, I am prepared to go that length. A reduction of the stamp duty upon leases has also been recommended; and we have now on the Table of the House a measure reducing the stamp duty in such cases to a *minimum*. Then it has been said that the labouring poor ought to be employed. What has been the course of the Government this Session? There are not less than 14,000 men now receiving daily wages from the Government in various parts of Ireland, employed in public works. The hon. Member for Rochdale recommends the establishment of more agricultural schools, and admits that we have taken active measures for that purpose. But the hon. Member says that thirty-two schools are not enough, and that there must be more district schools; it so happens that we have anticipated his recommendation also; and at this present time Government are doing what they can to follow out that view. The giving encouragement to landlords to drain their land was the next point raised; and what have the Government done this Session? They have already amended a clause in the Public Works Act, reducing the rate of interest; and the Secretary at War has laid on the Table a Bill authorizing the loan of 1,000,000*l.*, in aid of draining to the landlords of Ireland, the landlord paying 3 per cent, and 2 per cent going to form a sinking fund by which the whole will be paid off in twenty-two years. With respect to public works, a measure has received the sanction of the House which removes the impediments to their execution, and the Government is prepared to recommend a grant of money to the amount of 120,000*l.* for public works. The education of the people has also been adverted to; and I have often called the attention of Parliament to the fact, that under the Irish Board of Education not less than 400,000 children are receiving an education which will bear a comparison with that of any other country in Europe. I have now gone through the whole of the measures recommended by the hon. Member for Waterford, and I have shown that they either have been considered by the Government, or that proper means have been taken in carrying them into effect at the instance, and under the immediate direction of, the Government. I now come to the part of the Bill levying a tax to be paid by the disturbed districts. It is admitted that persons cognizant of crimes do not assist in the apprehension of offenders. To a certain extent Lord Morpeth's Act permitted districts to apply for an increase of the constabulary, and allowed the Lord Lieutenant to add to the police; and the expense of this addition being borne by the county, amounted, in fact, to a fine upon the district. But the objections made to that charge was, that it was made not on the particular district, but upon the body of the county, and that the Act distributed the burden over too large an area, instead of confining it to the locality where the offences were committed. I am sorry it is not in my power to doubt the indispensable necessity of rendering it the interest, I am afraid I must say the pecuniary interest, of persons dwelling in the disturbed districts to maintain the public peace. I regret to say, that in many parts of the country the concealment of offenders is studious, and in the disturbed districts almost universal. In the evidence given before Lord Devon's Commission by Mr. Kennedy, I find a graphic description of the extent to which criminals of the most atrocious description are concealed, though the offenders are well known:—

"At what seasons are the poor rates generally collected?—In May and August; in a very bad time of the year. I think the farmers shelter those people guilty of outrages through the country, under the fear that if the intimidation was not to continue, they would be ejected and turned out. I have not a doubt that that is the fact. I have remonstrated with the people, and spoken to them about harbouring them, and making free with bad characters; and that is what they told me.

"Do you conceive that that was the real reason, or if it was from fear of them?—No; they are not in dread of them by any means; but they wish the system to go on, that they may be kept in their farms, and they open their doors and give them protection. If there were a hundred police after them, it would be of no use; the people will come upon the road and meet the men, and mix with them. The police will start after them; the four men will divide; they run after them; and, if they catch any one, it is the wrong man. They say, 'That is him!' or 'That is him!' and they get hold of the wrong man. That is quite common."

By a fine upon the district all householders will have a direct pecuniary interest in discovering an offender, and in joining in his apprehension. The hon. Member for the county of Limerick asked me, if in the case of crimes of a most atrocious character prevalent at Sheffield, I was prepared to propose additional legislation. I have since proposed a measure of the most stringent character to meet this class of offences; and an hon. Gentleman, one of the Members

for Sheffield, has proposed an alteration of the law of England, with reference to the fine imposed on the vicinage. By the law of England whenever damage is done to property, accompanied by riot, the hundred is liable. The proposition was, that whenever a dwelling was destroyed, the hundred should be liable, as in cases of riot, although no open violence may have been used. I did not adopt the suggestion of the hon. Member; but there is this difference between the two countries—in England property is assailed, and life is generally spared; in Ireland property is respected, but life is sacrified with the most barbarous wantonness. I now approach another part of the subject. I refer to an appeal made by the noble Lord (Lord J. Russell) with reference to the conduct of myself. I have had the honour of a long acquaintance with the noble Lord, and I thought I fully appreciated his character. I knew him to be bold, and I had fancied that he was generous. I was slow to believe that in his bosom there was any dark recess where angry resentments were cherished; which lapse of time could not mitigate, and public duty could not restrain, when public interests required the sacrifice. I am still unwilling to believe that I have fallen into a mistake. But the noble Lord says I am wanting in fairness—that while I have changed my opinions, I have not done justice to him and his former Colleagues by withdrawing the language which I held when opposed to the noble Lord. I am not prepared to defend any particular expressions which I may have used in debate. It is possible my opinions, honestly entertained, might have been conveyed in more appropriate language; but that I have done injustice to the noble Lord or his Colleagues, I do not feel myself called upon to acknowledge. If I had felt that any such retractation was justly due, I should not be unwilling to make it. I am anxious to avoid saying a word that can tend to increase irritation or protract discussion; but when the noble Lord says that I, and those with whom I act, overthrew a Government whose principles and measures we subsequently adopted, he must permit me to remind him, that he overthrew the Government of Sir R. Peel in 1835, by carrying a resolution in this House in reference to the appropriation of the property of the Church of Ireland, or a certain portion of it, to secular purposes: that he, when in office for some time, proposed to act on the principles of that resolution: and that at last he abandoned it, in a manner which I will not characterize, because more severe expressions were applied to that abandonment by some of those who are now followers of the noble Lord, than I should choose to employ. Then, as to free trade in corn: though those with whom I act in the Government have changed their views on this particular doctrine, yet the noble Lord and those with whom he acts were sudden converts under very suspicious circumstances. Let any Gentleman read the speech of the right hon. Member for Taunton in 1840, on Mr. Ewart's Motion as to sugar, and he will there see laid down the distinction between free labour and slave labour sugar more broadly and distinctly than it has ever since been laid down by any hon. Member. The acts of a Government must be taken in connexion with the declarations of its chief. With regard to the free importation of corn, what were the declarations of Lord Melbourne? Did he not, up to the very last year of his Administration, contend that any change whatever was especially objectionable, and that the notion of introducing free trade in corn into this country was to be regarded as insanity? I believe his expression was, that he thought it madness. It was not till Lord Melbourne's Government was on the eve of dissolution, when power had departed from it—it was not till the very last moment of its expiring existence, that the principle of free trade was enunciated by that Administration as the principle of their Government; and there is this difference between the conduct of myself and my Colleagues, and of the noble Lord and his Colleagues—we, in changing our views, have given effect to a principle which we really believe to be indispensably necessary to the welfare and happiness of this community, by the sacrifice of our personal interests and feelings, and by the sacrifice of power. The noble Lord and his Colleagues changed not less suddenly than we did; but by their change of opinions they sought, as I contend, the maintenance of their Administration, and the discomfit of their political adversaries. Under these circumstances, any retractation is quite impossible, though the particular form of expressions which I may have used in debate, may not be justifiable. The hon. Member for Bath (Mr. Roebuck) has adverted to the measures proposed in previous years similar in effect and tendency to that which is now before the

House for the protection of life in Ireland. There can be no question that the measure introduced by Lord Grey, in 1834, was infinitely more stringent than that which we are now debating. That which was doubtless an unconstitutional measure was proposed by Lord Grey from a deep conviction of its necessity. Lord Holland concurred in the Act of 1833, by which trial by court martial was substituted for trial by jury. So did Lord Althorp; so did Lord Brougham. My right hon. Friend (Sir R. Peel), when he conducted the affairs of Ireland in 1835, governed without a measure of this description. The courts-martial had ceased, and nothing but the ordinary law of the land was in operation. [Lord J. RUSSELL: Had the Act expired?] The Act had expired before that time. Lord Melbourne proposed a measure less stringent than that to which I have now referred, but more stringent than the present Bill. The variations have been pointed out. The right of domiciliary visit was given in the Act of 1835. No such power is given by the Bill now before the House. The Lord Lieutenant, besides, was empowered to select a judge who should try offences under the Act. What are the provisions of the present Bill? Parties can be bailed on application to a single magistrate; and the Lord Lieutenant has power to order the liberation of a party before trial, if he see cause, even though he stands committed. But who is to be the judge? Not one selected by the Executive Government, but one of the twelve judges of assize. The case must go before the grand jury in the first instance, and must be tried by a petty jury at the assizes. It is assumed that transportation under this Bill is the penalty for offences. It is the *maximum* penalty, which can only be awarded by one of the twelve judges of Ireland on his responsibility. The whole machinery of this Bill, I undertake, on going into Committee, to demonstrate, is infinitely less stringent than the enactments of the measure of 1835. The offences in Ireland specially reported by the police were, in 1835, 10,225. It is said this measure will be ineffectual. Judging from experience, I demur to that statement. In 1836 crime fell to 8,067. That was the first year in which the Act of 1835 was in operation; and in 1837, the second year, crime fell to 6,775. The hon. Member for Bath has referred to what passed in 1835. He quoted from a speech of the noble Lord the Member for the West Riding of Yorkshire (Lord Morpeth), who introduced the measure, and also from a speech of the hon. and learned Member for Cork, who warmly supported it. He also read a passage in which the hon. and learned Member for Cork condemned special commissions, which the Government had been reproached for not adopting in the repression of crime. I am about to state what took place in 1837, when, upon the ground that crime had decreased, a Motion was made by the hon. Member for Rochdale (Mr. S. Crawford), that the Act of 1835 be repealed. Crime had decreased, as I have already stated. But what was the speech made by the noble Lord the Member for Yorkshire in resisting that Motion?

"I must express my regret that His Majesty's Ministers cannot reconcile it with their sense of duty to assent to the Motion of the hon. Gentleman at this time. The House will recollect, that in 1833 and 1834 the state of Ireland was such that the House felt itself bound to pass two laws of a very stringent and coercive character. I will not now discuss the propriety of those measures, or inquire as to the sufficiency of the grounds on which they were submitted to Parliament. In the year 1835, my noble Friend (Lord Melbourne) thought he was justified in proposing a measure of a less severe and stringent character, and which, by extending over a larger period of time, would avoid the objection of frequent renewal. His enactment, then, was for a period of five years; and Parliament having taken all the circumstances into consideration, I think it would be exceedingly inconvenient and improper, instead of waiting for the expiration of that period, to go into the question with a view to the cancelling the arrangements which were then made. I admit that my hon. Friend did express his dissent from the measure at the time it was introduced; but I think I may add, that it passed through both Houses of Parliament, his being almost the only dissentient voice. My hon. Friend has told us that the measure has been a dead letter. I am happy to say that the Government has not been called on to act upon it. Yet, though I trust I am warranted in thinking that there is nothing in the present state of Ireland of a very menacing or dangerous character, I cannot flatter myself that things have quite attained to such an extraordinary degree of improvement, that, considering what changes might possibly occur, the House would be disposed to dispense with the powers which the Act in question has created. Seeing, then, that no practical inconvenience has resulted from the law, and that it was passed with a perfect understanding as to the period of its duration, I hope that my hon. Friend will not press his Motion while there are other important practical measures awaiting the consideration of the House."

The Bill had passed without opposition except from the hon. Member for Rochdale, and the hon. Member for Limerick. Then, what was the course taken by the hon.

and learned Member for Cork? Having supported the Bill in 1835, he joined with the noble Lord in resisting its repeal. The hon. and learned Member said, "The object is to prevent rather than to punish." It is precisely on that ground that I recommend the present measure. The hon. and learned Gentleman said—

"The object of the Act in question is to prevent rather than to punish. It does not take away trial by jury; but it allows barristers of a certain standing to be called in to try the cases which may arise. I am ready to take my share of any odium that may attach to the continuance of this Act—it protects the people of Ireland against tho poorer class of disturbers. I, for one, should be exceedingly sorry were His Majesty's Government to consent to its repeal."

Yes; "the object of this Bill is to prevent rather than to punish." That is the very ground upon which I recommend the present measure — the same ground which Mr. O'Connell took in resisting the repeal of the measure of 1835. The hon. and learned Gentleman proceeded to observe, that the measure did not take away trial by jury—that it proposed that barristers, appointed for the purpose, should try certain offences. Instead of barristers, we propose that offences should be tried under this Act by the judges of the land. The hon. and learned Member for Cork was ready to take his share of any odium arising from the continuance of the Bill, for it protected the people of Ireland against the poorer classes of disturbers; and on that ground I support the present measure. The number of crimes had fallen in the ratio I have shown down to 1837; and in 1838 the number was 4,900; in 1840, 4,600. Then the Act expired. During the whole Administration of Lord Melbourne, until within nine months of its close, their Government had the powers of an Act more stringent in its machinery than the Bill which we are now discussing; and although the penalties were in some instances less severe, yet this is a matter of detail quite open to future discussion. In 1837 they resisted a Motion for a repeal of the Act; and Mr. O'Connell joined them, characterizing the Act as a protection of the people against the poorer disturbers. The number of outrages which had been, as I have stated, 4,600 in 1840, began to rise again in 1841—they amounted to 5,361; in 1842 the number of offences was 6,535; in 1843, 5,875; in 1844, 6,327; in 1845, 8,095. Observe, my right hon. Friend (Sir R. Peel) and his Colleagues have administered the affairs of Ireland during five years without a measure of this description. We have relied upon the ordinary law and the constitutional authorities. During five years of Lord Melbourne's Administration, except for a short period in 1841, they had a stringent Act for the repression of crime; crime diminished; and when the proposition was made in consequence to repeal the Act, they deliberately refused to consent to that proposition. On the ground of political necessity they were forced to adopt the measure; and they felt themselves, on the same ground, constrained to oppose its repeal. I do not wish unnecessarily to intrude on this House other authorities in immediate connection with the noble Lord opposite; but I cannot overlook declarations made in the other House of Parliament within the last two months in reference to this particular measure. The hon. Member for Bath referred to some such authorities. I cannot be mistaken as to the opinion of Lord Lansdowne. I have been reminded that in the course of this Session I myself have declared that with reference to the people of Ireland, we ought to legislate with a view to their feelings, their wishes, and even their prejudices. The hon. Member for Bath and others had referred to this sentiment with commendation; and some Gentleman said that similar expressions had been used by Mr. Fox. Now allow me to remark that the first Coercion Act was brought in by Lord Grey, the intimate friend of Mr. Fox, and not only professing his principles, but through his whole life steadily acting up to them. The second Bill of that nature was introduced by the Government of Lord Melbourne—the noble Lord the Member for the city of London being Home Secretary — Lord Holland (who was referred to as having entered a protest against some such measure at an earlier period) giving his sanction to its introduction; while the necessity, as I contend, for such a measure, was not then nearly so strong as now. The last surviving Colleague of Mr. Fox is Lord Lansdowne; and I cannot be deceived as to his sentiments on this subject. It is not regular to refer to what occurs elsewhere; but I was present and myself heard Lord Lansdowne say that the necessity of this measure was fully established—that whatever might be the character of measures of conciliation which might be introduced, social or political, it was absolutely necessary that this measure should be their

precursor; and he gave his unqualified support to the second reading, although the noble Lord observed that there were some minor details which might require amendment; but Lord Lansdowne did not divide the House of Lords against the third reading, and therefore, so far as he was concerned, the rational conclusion is, that this Bill in its present shape had Lord Lansdowne's sanction. Lord Melbourne had expressed the strongest opinion in a letter to the Secretary of the Repeal Association, that the measure had been too long delayed, and ought to be immediately pressed forward. And, therefore, I say that those to whom the noble Lord and his Colleagues profess to look up with the highest deference as constitutional authorities, all give their sanction to the provisions of this Bill. But the noble Lord, at the close of his address, made an appeal, in which the noble Lord the Member for Newark joined. I have all along admitted that the measure is unconstitutional, harsh in its aspect, and that nothing can justify it except necessity: that is the doctrine of the noble Lord the Member for Newark, and of the noble Lord the Member for the city of London. I cordially join with them in the expression of that feeling. I do not think that from any extrinsic circumstances—anything unconnected with the merits of the Bill—any Member would be justified in voting for its second reading unless he was prepared to admit its necessity. That this is constitutional doctrine, as propounded by the noble Lord the Member for London, cannot be denied; that it is sound and wise policy there can be no doubt. I think it would be fatal to the connection between England and Ireland if the people of the latter country were led to believe that unconstitutional measures can be supported in this House apart from the question of their imperative necessity. I advocate no such party obligations; and I fully recognise the justice and wisdom of the noble Lord's advice. But, at the same time, I cannot forget that there are in this House Gentlemen who supported the first reading of this Bill on the ground of its necessity, and said that the guilt of any blood which might be shed in consequence of its delay would rest upon the Government. I say that if those who supported the first stage of the Bill on the ground of its necessity, not with a view to any other object, convert the question into one of want of confidence in the Government on any ground extrinsic from the merits of the Bill, they will give to those persons in Ireland whose lives or property are in danger from want of the measure, the strongest reason for saying that confidence can no longer be placed in a British Legislature, and the most specious pretext for seeking a severance of the connection between the two countries; and I say that the Gentlemen so acting will gratify their personal resentments at the expense of great national interests. The hon. Member for Newcastle-under-Lyme (Mr. Colquhoun) asked me a question as to a particular clause in this Bill, and stated that, according to the answer he should receive, his vote would be decided. It would be highly indecorous on the part of a Government, when pressing the second reading of any measure, to bind themselves by saying that in a mere matter of detail they would yield no point whatever to reason and to argument when the Bill was in Committee; but as to the question referred to by the hon. Member, that is, as to the clause preventing persons being out of their dwellings, in a proclaimed district, between sunset and sunrise, and affixing to that misdemeanor, as the *maximum* of punishment, a sentence of transportation; I am bound to state that to the provisions of that clause it is the intention of Her Majesty's Government firmly to adhere. The measure is proposed from a deep conviction of its necessity. What motive on earth could Her Majesty's Government have for pressing the measure, except a deep and conscientious conviction of that necessity? As far as my official knowledge goes, the necessity for this measure is seriously felt in Ireland; and my anticipations will be greatly deceived, if, this measure being rejected, a necessity for it is not demonstrated in the ensuing winter. Notwithstanding many difficulties and serious outrages, we have for five years conducted the government of Ireland without asking Parliament to grant us any extraordinary powers. Charged with the maintenance of peace in that country, under the most adverse circumstances, and knowing that our power would be shaken to its foundation, we have not shrunk from the responsibility of proposing this measure. To have done so lightly, would have been inexcusable; having done it from a conviction of its necessity, to shrink would be base and ignominious. We do not shrink from it—we adhere to the opinion that it is necessary. And I deliberately state, I am satisfied the time

is not far distant when the Executive, however constituted, will require all the powers of this measure. Let those who doubt that necessity, resist this measure, regardless of all the consequences of that resistance; but, on the other hand, let those who are satisfied of that necessity, give it a manly and cordial support apart from all questions of confidence or want of confidence in the existing Administration. That question can be raised at any time and upon other issues; but I say, it will be most inexcusable, unjust, and dangerous, to object to the second reading of this Bill for the better preservation of life in Ireland, because an opportunity is sought to overthrow a Government by placing it in a minority. I may be wrong; but I have a deep conviction that if all those who are conscientiously satisfied that in the present circumstances of Ireland this Bill is necessary, shall support the second reading, the result of the division will not be doubtful.

MR. LABOUCHERE found himself, by the observations that had been made, called upon unexpectedly to take part in this discussion. He could, not, however, permit the observations made by the right hon. Gentleman to remain for a moment unanswered. He had been attacked—unjustly attacked by the right hon. Baronet. This was not the first time an unjust attack had come from the same quarter. Some years ago the same attack had been made; and he had had the opportunity of meeting and disposing of it, of refuting it. And now it was revived by the right hon. Baronet, who had at the same time thought proper to give him—what he thought he should never hear from him—a lesson on consistency! Undoubtedly consistency was a great public virtue; but then he did not think it, and this he wished to say to the right hon. Baronet, as a matter of utter indifference, whether a person might say and unsay the same thing, for never until now had they heard as if it were a matter of indifference, undertaking the defence of measures and then defending them; and never until now did they find a public man, and never before now a statesman saying in a single sentence that he disposed of all his former principles. Humble a Member of Parliament as he was, he could not find himself thus attacked for a want of consistency and not at least attempt to show that the attack was not deserved—not that he meant to say that in the twenty years which he had been in Parliament, one was not to modify their opinions. But this was another case: here he was attacked as having voted one way, and turned round and voted exactly in the contrary manner; the endeavour was made to persuade the House and the country that he had suggested that which he had previously resisted. The right hon. Gentleman was his accuser. The right hon. Gentleman had said that if the House wished to see the principle laid down for the exclusion of slave-grown sugar, he would refer hon. Members to the speech delivered by him in the year 1840. He was then President of the Board of Trade; and, acting in that capacity, he had urged as a member of the Government, and as such resisted the introduction, not merely of slave-grown, but of all foreign sugars, for he did not draw the distinction between slave-grown and other sugars. His objection was to all foreign sugars; for he said that their own Colonies, after the experiment they had been subjected to in the abolition of slavery ought not to be so far injured as to raise the flood-gates (that was his expression) and let in all the sugars of the world to come in competition with them. The right hon. Gentleman the First Lord of the Treasury, who was, he must observe, a perfectly fair opponent, did him the justice to say, that when he supported the Motion of the hon. Member for Portsmouth (Mr. F. T. Baring) that though there was to be found in his arguments on the former debate much that was worthy of attention, yet that there was no inconsistency in his voting for the Motion of the hon. Member for Portsmouth. It was rather hard then, after this, to hear the insinuations that had been cast upon him. And this too, introduced on the question of a Coercion Bill for Ireland. What, he asked, had his conduct on the Sugar Bill to do with such a subject? He regretted to have to refer to a matter thus personal to himself. And yet the right hon. Gentleman said that he would be sorry to infuse any acrimony into the debate. If such was really the desire of the right hon. Gentleman, he was a most unfortunate orator; for more misrepresentation, more acrimony, and more personal bitterness, he had never heard than from the right hon. Gentleman on this occasion. It was especially unbecoming in the right hon. Gentleman, charged with the conduct of a Bill of this description; and when the interests of a nation were at stake, they might surely hope that no odious insinuations, no party taunts, and

no wretched acrimonious spirit, would be permitted to pervade their discussion. He was sorry that they should be driven to such a wretched expedient; for if they were to commence casting in the teeth of one another their mutual offences, there never would be an end of it. He did feel very strongly that the right hon. Gentleman and his party had acted most unfairly towards the late Government, but especially most unfairly towards Ireland, by making it the constant subject of attack when that Government was in office. The Members of the present Government, when sitting on the Opposition benches were constantly exciting the mind of Englishmen, by raising up every wretched bigoted feeling, by fomenting the old No-Popery cry, and this merely for the sake of embarrassing and thwarting the Government. Their only object was to embarrass and thwart the late Government; but in doing so they distracted and shook the Empire. Of all parts of the conduct of the former Opposition, that it was which he thought was the most reprehensible, the least excusable, and the most injurious to the country. He would now only say, that when the Gentlemen opposite got into office, he was ready to admit they had conducted affairs in a more satisfactory manner than he had expected. They had acted in such a manner that he began at length to think that the right hon. Gentleman (Sir R. Peel) was little better than a Whig. The measures of the right hon. Gentleman were so very like those of his own Friends, that notwithstanding his recollection of the conduct pursued in opposition, he was able to give to the right hon. Gentleman his support; and it would be found that during the five or six years the right hon. Gentleman was in office, he more frequently would be found supporting than opposing his measures. As to the question before the House, he said they ought to vote upon it on its own merits. It was no reason because Members felt grateful to the Minister for the Corn Law, that they ought to make him a present of the liberties of Ireland. To pursue such a course of conduct, would be most likely to make a Repealer of every Irishman. He did then trust that Members in giving their votes would look only to the merits of the question. His vote would be given against the Bill from the conviction, that however disturbed might be state of Ireland, that this measure could not prove, and was not calculated to prove, any mitigation for these evils. One circumstance had struck his mind, when the right hon. Gentleman had spoken of the moral effect to be produced by this Bill. The right hon. Gentleman had stated that the measure was most unconstitutional, and was only to be justified by extraordinary circumstances; but then it was not the fault of the present Government that this Bill was not engrafted on the Constitution as a permanent measure. When he first heard of that proposal it struck him as a great affront to Ireland, and as a great affront to this Parliament. It was not until the Government had been driven from pillar to post in the House of Lords they had abandoned that proposition. The conduct of the Government then stripped the measure of the moral effect it might have had upon the condition of the country. There was only one other point in the speech of the right hon. Baronet the Secretary of the Home Department that he meant to notice. It was that those who voted for the first reading, and did not do so with the second reading, would not be justified in adopting such a course. He was surprised to hear language of that sort from one having the Parliamentary experience of the right hon. Gentleman. According to him everybody who voted for a first reading, was bound to vote for the second reading of a Bill. [Sir J. GRAHAM: If convinced of its necessity.] These were words of course. Every one knew that it was very seldom Gentlemen felt themselves at liberty to vote against the first reading of a Bill introduced by a Government, and scarcely ever against a Bill sent down from the House of Lords; and as far as this Bill was concerned, they were reminded by the Government that, in voting for the first reading, they were not merely pledged to vote for the second reading.

SIR J. GRAHAM explained: He had been misunderstood as to what he had said with respect to persons voting for the first reading. All he had said was this, that those who voted for the first reading, and remained, in their conscience and judgment, satisfied of the necessity for this measure, were bound to vote for the second reading, and not to give a vote on grounds extraneous of its merits.

House adjourned at a quarter past One o'clock.

HOUSE OF LORDS,

Tuesday, June 23, 1846.

MINUTES.] PUBLIC BILLS.—2ª Burial Service; Corresponding Societies and Lecture Rooms.

Reported. Customs Duties.

3ª· and passed. Superintendent of Convicts.

PETITIONS PRESENTED. By the Bishop of Exeter, from Southmolton, and several other places, against the proposed Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—From Chesterton, Llangarren, and Neath, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By the Bishop of Exeter, from Wolverhampton, for the Adoption of Measures for the Suppression of Seduction and Prostitution.—From the Rev. B. Drew, Curate of Ballycahane, Limerick, complaining of the Disposal of Church Patronage in Ireland, and praying for Relief.—By Lord Campbell, from Roslin, praying that a Bill may be passed compensating Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).—From Trustees of Wesleyan Methodist Chapels and Premises at Spilsby, against the Charitable Trusts Bill.

THE CASE OF THE REV. MR. SHORE.

LORD BROUGHAM presented a petition from the Rev. James Shore, a Protestant Dissenting minister of Bridgetown, Devonshire, formerly a minister of the Established Church, praying the House to consider the Toleration Act, with a view to its Amendment. The petitioner stated, that he had been regularly ordained a minister of the Established Church, and had been in orders ten years—that he had been appointed to a chapel in the diocese of the Bishop of Exeter, where he had for some time officiated under the incumbent. This chapel had been in the gift of the Duke of Somerset. This appointment he had held under two successive incumbents; but upon a third rector taking possession of the living, he had refused to continue the nomination of Mr. Shore, and the bishop in consequence withdrew his license. The rev. petitioner had then left the Established Church, and had become a Protestant Dissenter. The chapel in which he had been in the habit of officiating had then been endowed, and licensed as a dissenting chapel, by his Grace the Duke of Somerset; and, by the Act of Toleration, Mr. Shore considered himself entitled to officiate as a preacher and teacher therein. A few days ago, however, he had been cited by the registrar of the diocese of Exeter to appear before the Arches Court to answer for having publicly read prayers, preached, administered the sacrament, and performed ecclesiastical duties and divine offices according to the rites and ceremonies of the Church of England, in an unlicensed chapel, without any authority for so doing. He (Lord Brougham) understood it had been argued, that Mr. Shore having been regularly ordained as a minister of the Church, he could not of his own power secede from it, or release himself from his orders as a clergyman. The result was, that a decision was given against him in the Ecclesiastical Court; and, as there was no remedy in law, the highest court in the kingdom (the Court of Chancery) having decided against him, he prayed their Lordships to take his case into consideration, and grant him such relief as they should think fit.

The BISHOP of EXETER, before addressing a few observations to their Lordships, should make his acknowledgments to the noble and learned Lord, opposite for the courtesy he had shown in communicating to him a copy of the petition, and apprising him of his intention to present it. He should wish to have been excused from entering into the circumstances of the present case, but his noble and learned Friend had stated several matters which could not be left unanswered. It was certainly true, the noble Duke alluded to had built the chapel in question, in Bridgetown; and some years ago the noble Duke had applied to him (the Bishop of Exeter) to consecrate it. Several communications had passed between himself and the noble Duke; and, finally, he had consented to license the chapel, the Duke undertaking to endow it in order to its being consecrated, and that meanwhile it should only be used for purposes connected with the ministry of the Protestant Established Church; both of which engagements, he regretted to state, had been violated by the noble Duke, for reasons which doubtless were satisfactory to his own mind, though he (the Bishop of Exeter) could not even guess what they were. The incumbent of the parish in 1832 had given Mr. Shore, the petitioner, his nomination to this chapel, and he (the Bishop of Exeter) had accordingly licensed him. Another incumbent, however, had subsequently succeeded, who had refused to give his nomination to Mr. Shore, as he had a right to refuse if he chose; and he (the Bishop of Exeter) had, as he was bound to do, withdrawn the license. In some communications which had thereupon ensued between himself (the Bishop of Exeter) and Mr. Shore, the latter had said that he would officiate in spite of him, and that he did not recognise the discipline of the Church. He wished that the Rev. Mr. Shore had been the only party implicated in this matter; but he regretted to say that his Grace the Duke of Somerset had also become a party in it. His Grace had made an offer to carry out his engagement as to the endowment by consenting to the vicar's assigning to this chapel that portion of the tithes of

the vicar which accrued within the limits of Bridgetown, provided the nomination were vested in the Duke himself. This proposition he (the Bishop of Exeter) had declined; for he thought that in that case the patronage ought to be in the vicar, as the endowment would be made by him, not by the Duke. Now, it was because he (the Bishop of Exeter) did not wish to have the authority and the discipline of the Church thus disregarded, and did not wish to lend himself to a discreditable proposition, that the Duke of Somerset, or his agent, had registered the chapel as a dissenting house of worship, in the very teeth of that most solemn engagement which he had made, that this chapel should never be used for other purposes than those of divine worship according to the tenets of the Church of England. He hoped, therefore, their Lordships would not endeavour, in accordance with the prayer of the petitioner, to set aside the known ecclesiastical law of this country, but that they would consider the real position in which the case stood. In fact, they were called on to do no less than to give relief to a petitioner who could not be relieved unless they, with the concurrence of the House of Commons and consent of the Crown, chose to pass an Act of Parliament to set aside a sentence of the Court of Queen's Bench, and to invalidate a solemn decision pronounced in the Arches Court.

Petition to lie on the Table.

CUSTOMS DUTIES BILL.

Order of the Day for the House to be again in Committee read. House in Committee accordingly. On the schedule of articles from which the duties are to be removed, or reduced, being read,

The Earl of HARDWICKE rose to move, that the articles of Butter and Cheese be struck out of the list. They were important articles; and to remove them from the operation of this Bill, would be an act of justice to the poorer classes of their fellow subjects. In Ireland a large population was dependent upon the produce of small plots of ground; and if they could judge from the immense importation of the article of butter, a large number of persons must be dependent upon, or at least receive great assistance from the sale of that article. This was one of the articles the duty on which was not altered in 1847; but it was now proposed to reduce it by one half, from 21*s.* to 10*s.* The importation amounted to no less than 1,000,000 cwts. of butter at an average of 80*s.* per cwt.; and they were about to take off 10*s.* per cwt. in the duty. What was the intention of Government? To lower the price of the article for the benefit of the consumer—that was their avowed object; but in regard to this article, the reduction in price would be so very minute, that it would be felt by no one; whilst the remission of 10*s.* duty would take from the poor persons to whom he had alluded in Ireland 500,000*l.* a year. Let them also look at the revenue which it produced: this article of butter produced a revenue in 1843 of 151,903*l.*; in 1844, of 186,667*l.*, and in 1845 of 247,604*l.* It was clear, therefore, that the duty could not be such as to restrict the consumption of the article, because the revenue in those three years had nearly doubled. Therefore, in a financial point of view alone, this remission of duty seemed quite absurd. He did not pretend to understand matters of finance; but he thought that the simple mode of dealing with these questions was to consider whether the revenue was gaining advantage by the duty, and whether the public consumption was not restricted by it; if the revenue gained and the public did not lose, it seemed a peculiar case for the continuance of the duty. He thought it therefore most essential that noble Lords, as protectors of the poorer classes, should refuse to sanction this alteration. There was no reason for it. No case whatever had been made out for the reduction of that particular duty. He would now take the case of cheese, produced in the same manner and under the same circumstances, and that article produced a revenue, in 1843, of 91,656*l.*; in 1844, of 117,272*l.*; and in 1845, of 141,818*l.* So that, taking the aggregate revenue produced by both articles, it would be found to be by no means inconsiderable. He regarded these two articles as important, as a sample of articles producing a great and increasing revenue, and affording a most beneficial protection to the poorer classes, which, therefore, of all articles, ought not, in his opinion, to be retained in the schedule to this Bill. The noble Earl concluded by moving that the articles of butter and cheese should be omitted from the schedule.

The Earl of DALHOUSIE said, that he would not contradict the statements of the noble Earl, but would admit that if, in framing this Tariff, Her Majesty's Government had had the revenue only in consideration, these might have been proper arti-

cles to omit; but they did not frame the schedule upon a consideration of revenue alone, and on precisely the same grounds on which the noble Earl moved their omission, he thought they ought to be retained, namely, the interests of the poorer classes. The noble Earl had said, that the removal of the duty would not sensibly lower the price to the consumer; then if that were so, how could it injure the poor farmer, the producer? The one observation answered the other. For his own part, he believed that advantage to the consumer would result from the measure; but, consistently with that he thought that no injury would be inflicted on the producer. It was true that the importation was large; but when put side by side with the large produce of the three kingdoms, it was as nothing; it was like a drop in the ocean. Besides, the introduction had always taken place at a time when it would not be injurious to the producer; the introduction had taken place only when a strong demand had arisen, and in the years when the largest prices had been obtained for the article. Nothing but high prices would induce the producers to send it over. He would in support of that statement mention to the House the prices of Irish butter, in the Belfast market, in several years, and the amount of importation in the same years. In 1840, the price was 93*s.* 6*d.* to 97*s.* 4*d.*; the importation 252,000 cwt. In 1841, the price 97*s.* to 90*s.*; the importation, 277,000 cwt. In 1842, the price 83*s.*; the importation, 175,000 cwt. In 1843, the price 76*s.* to 79*s.*; the importation, 151,000 cwt.; and in 1844, the price 77*s.* to 79*s.*; the importation, 185,000 cwt. With respect to cheese, precisely the same result appeared. In 1841, the price of Cheshire cheese was 54*s.* to 68*s.*; the importation, 270,000 cwt. In 1842, the price 49*s.*; the importation, 201,000 cwt. In 1843, the price 46*s.*; the importation, 179,000 cwt.; and, in 1844, the price 52*s.*; the importation, 215,000 cwt. He was justified, therefore, in saying that the importation did not occur at the times when it would be injurious to the producer; and the reason was, that the importation depended on the demand in the great towns and ports; and when, consequently, in the great towns and ports the price of the article was high. Believing that 20*s.* was far too high a duty to be maintained on these articles, and recollecting that a short time after the war, the duty was not 20*s.* but 2*s.* 6*d.*, the Government proposed now to reduce it to 10*s.*, and he hoped their Lordships would not reject the proposal.

LORD STANLEY said, that his noble Friend had argued the case with his usual ingenuity; but he was in this dilemma, from which he could not escape—either the price would be considerably reduced—and then the poor Irish producer would be damaged to the extent of 1,000,000 of cwts. now imported from Ireland—or there would be no reduction of price (which was the position the noble Earl thought it most advisable to argue), and then the measure would have the effect of gratuitously putting into the pocket of the foregn producer about 427,000*l.* a year out of their revenue. It was true, that as compared with the large consumption of the whole country, the importation was not large enough to affect the price of the article throughout the whole country; but then the only difference was, that the producer of foreign butter would put into his pocket the amount which their own revenue lost.

The EARL of DALHOUSIE explained that he had not said that the price would not fall; but taking the statement of the noble Earl (Earl Hardwicke), he had said, that if it would not fall, the Irish producer would not suffer.

The House then divided:—Contents 33; Non-Contents 50: Majority 17.

The articles were accordingly retained in the schedule.

On the item for the reduction of Hops being read,

The DUKE of RICHMOND argued that this Tariff would impose great hardship upon the English grower of hops. Large capital had been invested in hop grounds, and as no doubt the hackneyed argument would be used, that the reductions of duty previously made, had not occasioned any large importation, the reply to it was, that it was hardly possible in the case of hops that any large importation could have taken place, because it took three years before a good crop of hops could be produced, and as yet, therefore, the foreign grower had not had time to come into the English market. However, last year, samples had been brought here, and but for the duty would have been sold. The excise duty on hops was 19*s.* 7*d.* per cwt., and the tithes, as fixed by the Tithe Commutation Act, were no less than 17*s.* per acre. It was true that foreign hops would pay the same duty, but they would not pay tithes; and in a parish in Sussex

the tithe was 3,000*l.* a year. Besides, the actual expenses of cultivation in England were 42*l.* an acre; that was the amount at which they could cultivate an acre of hops in Kent and Sussex; and yet they were about to call on them, the Kentish and Sussex growers, whose actual expenses were 42*l.* an acre, to compete with the growers in Austria, who produced hops at a cost of 8*l.* per acre. How could they compete with the foreigner under these circumstances? It was a strong case in that view; but he would rather put it on the ground of the enormous employment which it gave to the labouring classes. In Kent there were 23,000 acres of hop plantation, in which capital to the amount of 2,000,000*l.* was sunk, and upon which additional capital to the amount of 900,000*l.* was annually expended in cultivation. A large and increasing labouring population was comfortably supported by means of these plantations; for the sum paid annually for manual labour was 230,000*l.*, which exceeded the usual amount for the same number of acres by 160,000*l.* Under that state of things a large population had grown up, because that branch of agriculture found them constant employment; and now they were about, not only to cripple the resources of those domestic producers, but to leave them burdened with so large an amount of population that they would not be able to employ it in other ways. And there could be no reason for this remission of duty: it could not be the object of the Government to benefit the consumer, for it would make no difference in the price of beer; for, if they wanted cheaper hops, they had only to take off the excise duties, and he would answer for it that hops would soon be cheaper. What, then, did they propose to do with that large population? Were they going to drive them all into the manufacturing districts, or compel them to emigrate into a foreign land, and leave their native parishes, in which they had hoped to pass their lives? It might be said that the House had already shown its determination not to alter this measure in any respect; but he nevertheless wished the House and the public to know how the case really stood. Upon what principle this article had been introduced, he knew not; the Prime Minister disliked protection to land, though to cotton goods made up he was willing enough to grant protection; and that was the only reason he could conceive for the introduction of hops into this schedule. It seemed to him as if every clerk in the Board of Trade had been told to write down some article, all of which had been put into a hat, and then drawn out promiscuously by the noble Earl.

The Earl of DALHOUSIE begged to thank his noble Friend for the credit he gave him in regard to the framing of this schedule; he felt complimented by the suggestion of the noble Duke as to the manner in which it had been accomplished. But the noble Duke had asked what they meant to do with the large population dependent on hop plantations; whether they were all to be sent to the manufacturing districts, and how those who had to pay 42*l.* per acre in the first instance and afterwards other heavy charges, could compete with those who had only to pay 8*l.* an acre? Now he had before stated that upon data such as that relating only to the cost of production, without data as to the other charges of transit and so forth, it was impossible to draw any inference as to the result of such a measure; but so far from agreeing with his noble Friend that the duty was too much reduced by this Bill, he had expected to find the only complaint made that this was one of those anomalous cases in which they had left the duty too high. He would not use the argument that the admission of foreign hops had hitherto been inconsiderable; the admission had been small, but the reason was, that the duty had been as nearly prohibitory as possible. Was there any ground for the apprehensions of the noble Duke? It had been stated elsewhere, that hops could be brought from Belgium at 6*l.* per cwt.; it would then have to pay, not only the excise duty, but the duty of 2*l.* 5*s.* imposed by this Bill: so that a protection of upwards of 60 per cent would be left to the home grower, and he thought it impossible to contend that 60 per cent was not a sufficient protection.

The Earl of WICKLOW said, that it was a most inconsistent thing on the part of the Government that the excise duty should continue at all, if they meant to carry out their own principles. One of their first provisions should have been to take off the excise duty upon hops, which were the only instance of a growing crop subject to duty. If they did so, the revenue would suffer, it was true; but they were destroying their revenue by every reduction of duty upon all the articles of the Tariff.

The Duke of RICHMOND said, he

would not divide the House, but begged only to add that a great many plantations had been established on the faith of the existing law; and he wished their Lordships to consider what large sums of money were spent upon those plantations for the manual labour of women and children; the hop picking was like a second harvest, it enabled many poor persons to live in comfort, to save money, and provide for their old age. The noble Earl had said, that the data which he had furnished were not sufficient to enable any one to form a conclusion as to the result of the measure; but before a Government came and asked Parliament to alter a law, they ought at least to be prepared to state what would be the result of the alteration. This was another instance of the necessity of hearing evidence upon these subjects before they decided them.

LORD ASHBURTON said, that it seemed to him that the defence of the noble Earl was, that this remission of duty would be inoperative so far as the admission of foreign hops was concerned—that the duty left would be a complete bar against importation: he (Lord Ashburton) assumed, therefore, that it was not intended to let the foreign grower of hops into competition with our own grower; but if so, why had they made any alteration? Why make the experiment at all? It seemed to him that the whole scope of arguments directed in favour of the intended reduction of duty, was to try how far such reduction could go.

The EARL of DALHOUSIE denied he had said that the duty retained would be prohibitory, but that he thought a duty of 60 per cent, in point of fact yet payable by the foreign grower, was sufficient to impose for protection.

LORD COLCHESTER remarked' that the reduction of the duty on hops would not only affect the hop grower, but the grower of hop poles. A great deal of underwood was grown for this purpose in Sussex, and much employment was furnished from this source to the agricultural population at a period of the year when agricultural operations were generally suspended.

EARL STANHOPE said, that independently of other considerations, the uncertain nature of the hop growth should be taken into consideration. To show how precarious the trade was, and how much it stood in need of legislative protection, he had heard that a certain hop grower had realized in one year 70,000*l.* by his hops, and this enormous sum was lost in the next season. The expenses also were great. One person had been known to expend a sum of 10,000*l.* annually in labour in hop growing. He might add, before he resumed his seat, that no answer had been given to the questions put by the noble Duke (the Duke of Richmond), as to what were really the intentions and wishes of the Government on these measures.

The EARL of RIPON observed, that the argument of the noble Earl (Earl Stanhope) was merely to this effect, that the old duty on the article should be retained to keep up a species of gambling—the interests of the consumer were not to be considered, but gambling speculations must be protected.

EARL STANHOPE replied, that the duty on hops was levied upon the amount grown; and, therefore, the noble Earl was in error, when he said that hop growing partook of a gambling transaction.

The DUKE of RICHMOND must deny the statement made, that the trade of hop growing was one of gambling. Was the growth or purchase of hops of a more speculative nature than dealing in cotton? He would ask the noble Earl (the Earl of Ripon) if he had found the price of beer ever raised by the high price of hops? The interests of the consumer were not injured in that article. In 1841, when a deputation of hop growers waited on the noble Earl, and opposed a reduction of duty, their wishes were acceded to. Why were these duties now to be reduced? He supposed because no application had been made to the noble Earl by a deputation of the same character. He (the Duke of Richmond) much desired that the poor man should drink his beer at the lowest possible cost to himself; but he did not see that any wild and untenable theory should be introduced for the present purpose or any other. If Government wanted to cheapen the price of beer, let them take off the duty on malt. Ministers wanted to give the people cheap bread and cheese; the next cry would be for cheap beer to drink with it.

EARL FITZWILLIAM had little doubt the next step in the progress of change would be an attempt to supply the country with cheap beer by a reduction of the tax on malt. If this did not follow, it should. He was an advocate for free trade, both through better fiscal relations with foreign countries and freer interchange of home

produce at home. Beer was as necessary for the population of the nation as bread; and if the Government at the close of the Session would come down to that House and propose the repeal of the malt tax, he should, indeed, be glad. The present question, though one affecting hops, had yet a wider signification, and was connected with that of a free trade in corn. Surely his noble Friend would admit that. The present question was but subsidiary to a change in the duties affecting foreign corn. If, then, the price of corn was reduced, and the price of hops also, barley should surely be allowed to pass into the hands of the consumer without the intervention of the exciseman.

The EARL of RADNOR observed, he had been told by a grower of hops, that the trade was itself a species of gambling; and with regard to the large sums said to be paid for wages, no districts were more pauperised than those in which hops were grown.

Amendment negatived.

Upon the item affecting the present duty on Lace,

EARL STANHOPE said, the labourer's wife earned as much at lacemaking in the house as the labourer did at work in the fields; and they were now going to destroy that source of employment by facilitating the introduction of foreign lace. By the last alteration in the Tariff, the value of home made lace had been much reduced; and now the Government seemed to think that the remnant of protection which had been then left to the lacemakers was too much. He should move that the words be struck out of the schedule.

The DUKE of RICHMOND would oppose the intended reduction. The manufacture of British lace was conducted in cottages, by children and females under the eye of their parents. Destroy this manufacture, and these persons would be forced to Manchester, and other such places, where they would be subject to those miseries known to be inseparable from the cotton districts. If the noble Earl (the Earl of Dalhousie) did alter any clauses of the Bill, this clause affecting lace should be one of them.

The EARL of DALHOUSIE said, that one would suppose, from the remarks of noble Lords, that something unparalleled was going to be done in the proposal of this reduction of duty; whereas the reduction was only from 12*l.* 10*s.* per cent, *ad valorem*, with the additional 5 per cent, to 10*l.* per cent, simply so as to bring this article in accordance with the rest of those included in the schedule.

LORD STANLEY asked his noble Friend whether he really thought that this alteration from 13*l.* 2*s.* 6*d.*, being the duty of 12*l.* 10*s.*, with the 5*l.* per cent added, to 10*l.*, would make the smallest appreciable difference in preventing or checking the importation of these articles by illicit means. A very high authority, Mr. Deacon Hume, had told them in 1832, that unless they imposed a higher duty than 25*l.* per cent *ad valorem*, they need not be apprehensive of smuggling. It appeared there were to be some exceptions from the schedule, and surely if there were, this article ought to be one; for after reducing the duty in 1842 from 30*l.* to 13*l.*, they derived in the following year a revenue of 6,000*l.*; and in 1844 it increased to more than 12,000*l.* Therefore, when they found that by a certain duty there was an increase in the amount paid into the Exchequer, they had good grounds for supposing that the smuggler did not interfere, and that the revenue received the whole duty. The new Tariff, it was said, laid the protection duty as a general principle on foreign manufactured articles at 10 per cent. Many exceptions to that rule existed; and he hoped lace would be one. The noble Lord could not deny that it was an article which chiefly employed women and children—he could not deny that it was an article which young persons manufactured, under the immediate eye of their parent, and yet he said that for the sake of having a row exhibiting the figure 10 from the top to the bottom, he would deprive these poor people of an amount of protection which had always added much to the revenne, and which had been proved not to interfere with the interests of any class whatever. He (Lord Stanley) could not consent to this exemplification of the case of uniformity on the part of his noble Friend. He could not consent to sacrifice everything that was connected with the interests of these people, for the sake of a Bill that would look pretty on paper. No case had been stated why the present amount of protection should be reduced; and as it was admitted that it was a case relating to an article of luxury, which gave employment to women and children, he asked his noble Friend—and, if he would not agree with him, he would ask the House—to act upon the principle which he had already applied to made-up cotton and woollen goods—that is

to say, not to reduce the duties levied on them without sufficient consideration given to the humble, but, to the operatives, not insignificant protection which was now afforded them.

The EARL of DALHOUSIE could only echo and repeat to their Lordships the adjuration of his noble Friend, to give to the present case the same amount of protection which they gave to made-up cotton and woollen goods—that was to say, 10 per cent *ad valorem*. But when his noble Friend said, on the authority of Mr. Deacon Hume, that a duty of 25 per cent would meet the case of the smuggler, of course he could not venture to impugn so high an authority as applied to former times; but unquestionably that was not the case now, because it was as notorious as the sun in the heavens, that there was no article whatever of foreign produce which could not, for an insurance of 20 per cent, be guaranteed to be delivered in London on the most respectable references to the best bankers.

LORD STANLEY was obliged to his noble Friend for the reference he had just made, because it enabled him to tell him how Mr. Deacon Hume went on in his argument. He admitted all that the noble Earl had said; but he went on to say that the risk of loss on the part of the smuggler was so much greater, that it was always worth the while of the merchant to pay 25 per cent to the Government rather than 20 per cent to the smuggler; so that, if the duties were reduced to 25 per cent, the revenue would reap nearly the whole of the benefit. That was the continuation of the argument of Mr. Deacon Hume. As to the adoption of the same principle in this case that was laid down in the case of made-up cotton and woollen goods, his noble Friend seemed to be still haunted by his love of decimals. When he (Lord Stanley) referred to that case, he did not mean that their Lordships should adopt as the duty that was to be lowered, the figure 10. What he meant to say was this, that as the principle of protection had been admitted in the case of made-up cotton and woolen goods, because they were mainly the produce of the labour of women and children, therefore he called upon his noble Friend to apply, not his figures but his principle to the present case, and to admit that this also was an exceptional case to the ordinary cases that were now before their Lordships.

EARL FITZWILLIAM thought Mr. Deacon Hume could never have said anything so extravagant as that the same amount of per centage would put down the smuggler in every kind of trade, in light and easily concealed goods, as in heavy and bulky articles. Then, with regard to the question immediately before them, he could state as a Northamptonshire man, and as taking a great interest in the morals of the country, he would be bound to say that there was no employment in which any portion of the population was employed, which was less conducive to morality. Nay, he would go farther and say, that there was no employment which was more conducive to immorality on the part of the youthful female population of the country than this trade of lacemaking. It was not carried on exclusively in cottages; in many instances, females of all descriptions were congregated under one roof, at least that was the case in Northamptonshire, and he dared to say it was the same in Buckinghamshire; and the consequence was, that it conduced very much to immorality; and he would take the liberty of adding, that it made a very small addition to the earnings of a family, nay, it rather tended to a diminution of those earnings, because it totally unfitted the female portion of the population for any other employment.

The EARL of GALLOWAY thought it was a very grievous thing in this country that parents were so apt, from a spirit of cupidity, to engage their children at very early years in the lace and flowering business, rather than send them to school. He had known girls, seventeen years old, who were totally ignorant of anything else except the manufacture of lace.

The DUKE of RICHMOND contended, that if these were the sentiments of Earl Fitzwilliam and the Earl of Galloway, they ought to insist upon a total repeal of the duty, and thus put an end to the employment of females in this branch of trade altogether.

The EARL of GALLOWAY said, that he had beeen a protectionist; but he had lately been looking more closely into the subject; because, seeing that those in whom he had placed confidence had changed their opinions, he had looked into the subject more minutely; and the consequence was, that he did not believe the removal of protection would have the effect which was ascribed to it by many Members of their Lordships' House.

Amendment negatived.

On "Paper printed, painted or stained Paper, or Paper-hangings, or Flock-paper,"

Earl STANHOPE moved that the article be omitted from the list.

Lord ASHBURTON also opposed it, and said, all the paper stainers in the metropolis had either given notice that they would reduce the wages of their workmen on the passing of the Bill, or that they would retire from the trade altogether.

The Earl of DALHOUSIE said, he could only only meet that statement with a general denial. Masters might have taken advantage in some instances of this proposed reduction to reduce the wages of their workmen; but he denied that this was the universal practice, still less that the paper stainers were in a body retiring from the trade.

Lord ASHBURTON admitted that perhaps he had been too general in his assertion; but reiterated his opinion that all the finer patterns, all the more tasteful designs, were entirely given up in London. Of this their Lordships might assure themselves from their own observation.

The item agreed to.

On the article Silk,

The Duke of RICHMOND expressed the regret he felt that their Lordships had not last night agreed to the proposition which he made, that the silk weavers should be heard by counsel at the bar of their Lordships' House; and he regretted it the more, because he had not had time to look at the brief which had been put into his hands till that night, he having been engaged on a Committee all the morning. The article of silk was one on which the principles of free trade had unfortunately been formerly tried; and he was, therefore, not surprised that the advocates of free trade should not be fond of having this case now referred to; because it had happened that the reduction of the duties in 1824 had caused the ruin of many manufacturers, and had reduced wages to an enormous extent; so that the operatives had now hardly enough to support their families, and yet the master manufacturers had given notice that when this Bill passed their wages would be reduced still farther. To reconcile their Lordships to the abolition of the corn duty they had been told—most erroneously he knew, but he believed very conscientiously—that prices would be kept up; and in proof of this they were referred to farms in this and that county which were taken at an increased rent, keeping out of view all the time what the landlords had agreed to do for those farms. Now, all he asked was, that the same principle should be applied to silk. Would they say that silk mills were worth nearly as much now as they were before? He had been told that the mill of Messrs. Kay and Co., at Tring, which had been erected at a cost of 30,000*l.*, had been offered to one party at a rent of 200*l.* a year, and being by them rejected, had since been accepted by another party. He understood also that the Messrs. Brocklehurst had lately purchased six mills at one-fifth of their original cost. Then he might state that the beautiful silk mills of Mr. Throttle of Manchester, which were usually exhibited to distinguished strangers visiting that town, had been for some months standing still. But he expected his noble Friend, the President of the Board of Trade, would turn round and say it was impossible to argue from general principles with regard to such an article as silk, which depended so much on fashion. That was to say, that because silk was a fluctuating article, and depending upon fashion, that was a reason, forsooth, for reducing the amount of protection. He should rather consider this to be a reason for maintaining protection. The noble Earl (the Earl of Galloway) who told them he had been a protectionist, but that within the last few weeks he had been so quickly converted, had said that it would be better for their morals if the children employed in the lace cottages in Buckinghamshire were sent to school. But the noble Earl had forgot to tell their Lordships how the parents were to find the means of keeping them at school.

The Earl of GALLOWAY: By giving them cheap provisions.

The Duke of RICHMOND: The noble Lord said, by giving them cheap provisions. What does he mean by cheap provisions?

The Earl of GALLOWAY: By making the provisions of this country as much as possible accessible to the working classes at the wages they already have.

The Duke of RICHMOND: There was the fallacy of a new convert. He told them that he would give cheap provisions; and then he (the noble Duke) asked him what he meant by cheap provisions—he let him into the trap, for he knew what he would say—he knew that the noble Lord had talked enough of political economy to talk of cheap bread; but he had forgotten to explain how they were to obtain cheap

bread with lower wages. The noble Earl told them of the ignorance of these classes, and to remedy this, he would send them into the cotton factories. There they would get schools, it was true; but he was not sure if he would not prefer the morals instilled into the minds of the young, in the rural villages of Buckinghamshire, to the education they would acquire at Manchester, especially when taken in connection with the scenes the young would witness when out in the streets. These petitioners stated in the first place, that Parliament had altogether mistaken the protection which Parliament intended to give them. Parliament proposed to give them a protection of fifteen per cent; but it was not fifteen per cent, upon the finer and less common articles, on which in most cases it only amounted to nine per cent. They laughed at the idea of his noble Friend, respecting smugglers; and if their language was strong, he would remind their Lordships that he was not a lawyer, and was, therefore, unskilled in the art of making that language more palatable to their Lordships. They said that the argument of smuggling, proceeded either from sheer folly, or intentional delusion; that it only required a registration of licensed traders, and the publication of the names of those who had in their shops smuggled goods, coupled with a bar to future registration, in order to put a stop to the smuggling of silk; because the silk dealers were not like persons who smuggled gin or tobacco, but were persons who would dread the idea of exposure. The gross annual value of exports of silk manufacture in this country was less by 2,000,000*l.* or 3,000,000*l.* sterling than it was some years ago; and it should be likewise remembered that a great portion of our export of silk to France was of a very coarse description, whilst none were imported from France but fabrics of a fine quality. A great deal had been said about the salutary effects the measure would have in the prevention of smuggling; but he did not think the present laws against that offence had been used with sufficient stringency or perseverance. He would not then weary their Lordships by further entering into the subject, but must again take leave to express his regret that before a measure so vitally affecting a large, useful, and loyal body of their fellow subjects, had been passed into a law, the prayer of their petition had not been granted, so that they might have had a full opportunity, through counsel, of laying their case before their Lordships' House, in a far clearer and more satisfactory manner than could be otherwise done. For his part, he would take the sense of the House upon the subject whenever it came before it. He would always express his decided conviction that the silk-weavers had been denied a request which he could never think their Lordships would deny to any portion of the loyal operatives of this country. They had been taunted with advocating a prohibitory system: he denied that what they advocated, and would continue to advocate, was a fair and moderate protection to British industry. That principle, he would maintain, not merely in regard to agriculture, but to all classes of his fellow subjects, whether manufacturing or agricultural, for he thought he was thereby best consulting the interests of the Empire.

The EARL of DALHOUSIE must object to the proposal of his noble Friend on the cross benches. He must again express his regret that he felt himself obliged to perform so ungracious a task as refusing to hear the silk weavers by counsel; but he resisted the Motion because it would sanction an erroneous principle, and establish a bad precedent—one which would be found most inconvenient to their Lordships, and which, if acted upon, would materially obstruct the course of public business. He must likewise say, he thought there was nothing in the case of the petitioners which any of their Lordships might not state to the House as fully and completely as the petitioners could desire; and, in point of fact, the noble Duke on the cross benches had done so in a manner which must be entirely satisfactory to the petitioners. As regarded the amount of duty, the petitioners alleged that while professedly they levied a duty of 15 per cent on foreign manufactured silks, they, in point of fact, only levied a duty of 9 per cent on many of the articles. He (the Earl of Dalhousie) admitted that might be true in the case of some articles; but it had arisen from the extreme difficulty of levying an equable duty. It had been found impossible to levy an *ad valorem* duty on such articles, because, in order to satisfy the revenue, the packages must be examined separately; a proceeding which would involve immense delay to the revenue officers —delay to the manufacturers, which might be most prejudicial, and not merely that, but the handling and tossing of the fine fabrics would be altogether destructive to

them. It had been proposed to levy a duty according to the weight; but this would be unjust, for the highest duty would thus be levied on the heaviest articles, which were also the coarsest and least valuable. Since 1826 a great change had taken place in the value of silks, and the Tariff upon it had been found most unjust, the duty frequently varying from 30 to 250 per cent; and, in fact, the strongest representations had been made by the ribbon manufacturers to the Board of Trade. They had endeavoured, therefore, as far as possible, to classify the articles, leaving the option of paying the duty either by weight or by value, but fixing on each class an average rate of duty, amounting to 15 per cent. He had reason to believe that this arrangement, which had been extended to ribbons, had proved satisfactory to the parties affected by it; and one reason why he had objected to hearing counsel at the bar was, that statements of minute matters of detail would not enable their Lordships to form a better judgment. In this, as in other cases, the modes of levying the duty were fixed by the knowledge and experience of the officers of the revenue, assisted by persons practically versed, but not interested, in the trades themselves. He believed that the present figures did represent an average duty of 15 per cent on the articles in the classes to which they were attached. He would pass to the other point of the petition—the past history of the silk trade. The petitioners declared that twenty years ago they had been brought under the operation of a system which gave admission to foreign articles, in a manner that brought ruin on a large portion of their class; and they protested against the Legislature proceeding any further in the same direction. It would be recollected that exactly the same language was used at the time the change was first proposed. Twenty years ago it was stated that the course of policy about to be entered upon would be entirely destructive of the silk trade; it was said that every one engaged in it would remove his capital from it, and that in two years after the passing of the Act it would be entirely at an end. How were they to judge of the fact whether the trade had been injured by those changes or not? If they found that capital had been withdrawn from it, that silk mills were not employed, that the importation of the raw material had diminished, that the export trade had disappeared, then they might pronounce the prophecies of those persons had been fulfilled. But if they found that the very reverse of all this had been the case—if they found that capital had not been withdrawn from the trade, that the import of the raw material had vastly increased, that the manufacture for the home market had been largely extended, while the export trade, in addition to the home market, had been extended in as great a proportion, then they must allow that the prophecies which had been adduced had proved erroneous, and that the prediction of the ruin of the trade had not been borne out by facts. A paper on the Table of the House gave a return of the raw silk imported from the close of the war to the year 1844. He would not go at length into those figures, which were in all their Lordships' hands, but would make a few observations serving to elucidate his argument. The silk trade might be divided into three heads—he meant that silk which was imported for manufacture. First, the actual raw material as it came from the worm; secondly, the waste, consisting of knubs and husks; and thirdly, the thrown silk, which might be said to have undergone the first process of manufacture. It had been objected that waste, knubs, and husks, ought not to be included in the account; but if labour and ingenuity coverted an article before worthless and waste into a fabric by no means inferior to articles formerly produced, they were entitled to the full credit to be derived from that article in computing the aggregate amount of the silk trade carried on. However, he would reject altogether the waste, knubs, and husks from his calculation. He would now estimate the progress of the silk trade by the surest of all tests, the importation of the raw material to be manufactured. In the ten years from 1814 to 1823, the quantity of raw silk imported was 15,200,000lbs.; in the ten years from 1824 to 1833, independently of these wastes, knubs, and husks, the quantity imported was 31,556,000lbs. It was in 1824 the great change in the silk trade took place; prohibition of foreign manufactures was entirely removed, and the duty on the raw material was reduced from 5*s.* 6*d.* to 1*d.* per pound, and on thrown silk from 14*s.* 7*d.* to 2*s.* 6*d.* per pound; yet, so far from the predicted ruin following, in the ten years after this great alteration, the import of the raw material rose from 15,200,000lbs. to 31,500,000lbs. In the next ten years

the importation further increased from 31,500,000lbs. to 37,400,000lbs., while the average annual entry of the raw material for home consumption had increased from about 1,500,000lbs. in the ten years preceding the reduction of duty, and under a system of high protection, to upwards of 4,000,000lbs. in 1844. With all these facts then staring their Lordships in the face, was it possible to sanction the allegation of the petitioners, that the alteration of the duties in 1824 had diminished the demand for the home manufactured article, and totally ruined the trade? Such had been the increase in the importation of the raw material; and if their Lordships would contrast its recent progress with its progress during the whole period in which the high system of protection existed, they would be better able to appreciate the force of his argument; because he begged to remind their Lordships that a system of prohibition and protection was by no means invariably maintained up to 1824, because previous to 1765, and for a period approaching to nearly 200 years before, there was only a very moderate duty. Well, it appeared from statistical works that the average annual consumption of the raw material in the three years 1765, 1766, and 1767, when the system of prohibition commenced, was about 360,000lbs., while last year the consumption amounted to no less than 4,021,000lbs. Seeing that the increase in the annual consumption of raw silk which had taken place in the twenty years of relaxed duties had not only been as great, but greater, than the increase which took place in the whole sixty years of prohibition and protection, to the extent of 600,000lbs., was it not impossible to give in their adhesion to the statement that that relaxation of duty had been a fatal injury to the trade of the silk weaver? He was sure he did not need to attempt, by statistical tables, to convince their Lordships that the consumption of the home manufactured article had greatly increased within the last twenty years. And now he would advert to a point which had been stated by the noble Duke on the cross benches, who said he knew he would be met by the President of the Board of Trade by the statement that the silk trade depended on the fashions; and from that the noble Duke sought to draw an argument that protection ought to be reserved. He (the Earl of Dalhousie) took the very contrary ground. The result of the proceedings of 1824 had entirely overturned that argument. In consequence of the system of prohibition, the cost of the manufactured article previous to 1824 was so high that it was entirely reserved for the richer classes to use it. The consequence was, that, as among the higher classes the changes of fashion were the most frequent and capricious, the alterations in the condition of those engaged in the manufacture was constant and violent. They would find the trade at one time in a flow of the highest possible prosperity, and, all at once, in consequence of a change in the fashions throwing a particular article out of demand, the operatives would be found in a state of entire destitution. But what followed upon the reductions which took place in 1824? Owing to foreign competition and to improved processes of manufacture in this country, the price of the article had been greatly reduced; so that the use of the article, which was formerly restricted to the higher classes, was extended over all classes of the community. Their Lordships were familiar with the fact that it was now as common for a maid servant to wear a silk gown as it was twenty-five years ago to wear a cotton one; and the consequence was, that the trade was not subject to so many fluctuations, and that the employment of those engaged in the manufacture was not subject to so many alterations. He next came to the export trade, in reference to which he would not go into detail, but merely give a summary. He found that the average annual value of manufactured silk during periods of four years, was as follows:—From 1826 to 1830, 289,000*l.*; 1831 to 1835, 690,000*l.*; 1836 to 1840, 771,000*l.*; 1841 to 1844, 709,000*l.*; and in 1845, 764,000*l.* All this showed that the silk trade had not been injuriously affected by the alterations in 1824. He begged to observe, too, that the exports would have been still more largely increased but for the fact that it had been checked by the impossibility of obtaining a sufficient supply of the raw material. It was well known that we had hitherto drawn our supply of the raw material principally from France, Italy, and India alone; but now that we had the China market open to us in addition, he had no doubt that in the course of a very few years there would be a large increase in the import of the raw material, and consequently an increase in the home manufacture, and also in the export trade. A great deal was said on this question about the importation from

France; but he begged to remind their Lordships that we actually exported silks to France; and, considering that France was the native country of the raw material lished the case he had attempted to prove, itself—that it had taken great pains to keep the raw material to itself—that it was also the native country of manufactured silk—that they had long been, and still were, though he hoped they would not long be, ahead of us and all other nations in beauty of fabric and design—the very fact of our exporting any silk goods at all to France was in itself a triumph, and equivalent to foreign nations exporting coals to Newcastle. Nor was he prepared to admit that we exported merely the coarsest kinds of fabrics. He had it upon the authority of a person extensively engaged in the silk trade, that our exports consisted of different descriptions of silk goods. The noble Duke had not adverted to another argument; but he (Lord Dalhousie) had seen it stated, in newspapers and elsewhere—as a proof of the ruin which had fallen upon the silk manufacture—that the population of Spitalfields had greatly decreased in number since 1824. Admitting that the population of Spitalfields had decreased, he denied that that afforded any proof of the adverse state of the silk manufacture. That story began long ago; and this very reduction of the population was one of the injurious consequences of the system of protection, because it arose originally out of what was known as the Spitalfields Act, the object of which was to fix the rate of wages each man should receive; and these Acts having been found oppressive in their operation by the workmen, who desired to make what they could of their industry, but were prevented by the state of the law —they naturally emigrated from Spitalfields to other parts of their country, just as people emigrated from this country to countries where they could more profitably apply their labour. Previous to 1824 the silk manufacture was restricted to one or two places; but since then it had extended to Manchester, Norwich, Paisley, Macclesfield, Derby, Leigh, and many other places in the country. Now, with respect to wages. His noble Friend had said that wages had been greatly reduced. But it was not correct to take into account the amount of money paid in wages for particular work done as a proof that wages had been reduced; because where improved machinery, for instance the jacquared loom, was employed, it admitted of doing a greater quantity of work than could be produced by hand labour; but although the weaver might not receive so much wages for the same quantity of work by machine labour as he would for hand labour, yet from the additional quantity produced in a shorter spacc of time, the deficiency of wages was thereby made up. Machinery was not, however, in universal application in the manufacture of silk—the great proportion was handloom weaving. And if it were to be taken for granted that where a reduction of wages took place that the trade must be a failing one, they must arrive at the same conclusion in regard to every other weaving trade, more particularly in such trades as handloom weaving was carried on. Their Lordships might recollect that a Commission had been issued a few years ago to inquire into the subject of the handloom weavers; and in the Report which they had returned, it was stated that it was not by foreign competition that wages had been reduced, but by competition amongt the weavers themselves. The handloom weaving was easily learned, and recommended itself more particularly to the workmen from the facilities it afforded them of working in their own houses, where they were entirely independent of the factory regulations, The employment, therefore, was attractive; and in every department of weaving carried on by handloom the competition was enormous. The result was disadvantageous, but was an evil to devise remedies for which had baffled the ingenuity of Parliament; and if a remedy was to be found, that remedy certainly would not consist in the exclusion of foreign competition. Nevertheless, the trade was liable to great scarcity of hands at times. He would read a few extracts from the Factory Reports returned during the last few years. In 1843, it was stated in the reports of Factory Commissioners that the millowners of Derby could not find hands enough to supply the demand for manufactured goods. In March, 1844, additional mills were built, and additional workmen employed. In 1845, in the silk districts, hands were very scarce; and where children were employed half time, they received as much wages as when formerly obliged to work ten hours. Their Lordships were aware that since the 16th of March last, by means of a Treasury Order, the whole of the articles of silk manufacture since then imported into this kingdom had been admitted under the duties

which it was proposed to enact by this Bill; and to show the effect it had had, he would read a return of all the manufactured silks imported into this country during the four corresponding months of 1844, 1845, and 1846. He found that in the four months ending the 5th of May, 1844, there were 127,000 lbs. weight; during the same period of 1845, it was 129,500 lbs.: and in the same period of the present year it was 158,000 lbs., which showed a considerable increase. As to the raw material imported during the same four months of the three years mentioned, it was as follows:— In 1844, 912,000 lbs.; in 1845, 1,617,000 lbs.; in 1846, 1,906,000 lbs.; which showed an increase in the raw material of full 100 per cent. Here at least there was no injury to the silk trade. He would next refer to the case of the throwsters, or people who were engaged in twisting the raw material into thread, who had objected to the introduction of thrown silk into this country at a reduced duty, lest it should prove ruinous to their trade. On foreign thrown silk the duty had been reduced from the year 1824, when it was 14*s.* 7*d.*, till it had come down to 2*s.* and 1*s.* He would wish to inquire by the quantities imported during an average decimal period of years, whether the reduction of duty had had that effect. He found that the average annual importation—

From 1814 to 1823	was	360,000 lbs.
1824 to 1833		387,000 "
1834 to 1844		265,000 "

Therefore, there had been a great diminution of importation. This was under the law of last year, when the duty was very much reduced; now it was entirely repealed, and during the first four months of the years 1844, 1845, and 1846, the importations of raw and thrown silk were as follows:—

1844	...	Raw Silk	...	912,000 lbs.
—	...	Thrown	...	135,000 "
1845	...	Raw Silk	...	1,600,000 "
—	...	Thrown	...	157,000 "
1846	...	Raw Silk	...	1,906,000 "
—	...	Thrown	...	136,000 "

Which distinctly proved that no injury had been inflicted upon the throwsters by admitting thrown silk at a reduced duty; for whilst the importation of the raw material had enormously increased, the importation of thrown silk had hardly increased at all. Therefore he thought the conclusion was inevitable of the perfect capacity of the trade to compete with the foreigner in thrown silk, as well as in the fabrics of silk. With respect to the state of the parties themselves engaged in the trade under this system, he had taken every pains to obtain information from all parts of the country; and he could assert that in every part of the country there never was a time when, taken as a whole, the trade was in a greater state of prosperity and more full employment, notwithstanding the admission of foreign thrown silk and the foreign manufactured article, than now. In Spitalfields tickets had been put up in many places advertising for hands to any amount; and he was told that in the mills those masters who wanted thrown silk for use in manufacturing, could not get it as fast as they wanted it. Why, on the very evening that his noble Friend was originally about to bring forward this petition, about a fortnight ago, a meeting of the velvet weavers (who constituted the greater portion of the silk weavers of Spitalfields) was held to consider whether they should not demand an increase of wages. They had demanded that increase; and it was at once acceded to by many of the masters. He insisted that in every species of silk goods consumption had been greatly extended; that the export trade had increased nearly threefold; that the quantities of the manufactured article had been increased in proportion as the admission of foreign goods was made unrestricted; that the importation of the raw material had increased 100 per cent this year, as compared with the corresponding period in the last year; and that the throwsters, whose branch of the trade had been affected by the proceedings of last year, and who would be still more affected by the proceedings of this year, were in a better position than they had ever been in before; and that all these were cogent reasons why their Lordships should agree to the proposition of Her Majesty's Government.

LORD STANLEY had often heard it said, that anything might be proved by figures; and certainly, knowing the ability of his noble Friend who had just sat down; knowing also the immense advantages which he had from his command of documents and papers inaccessible to their Lordships; and information moreover which he must have received from authentic sources—he was not surprised at the effect produced upon their Lordships by the statements of the noble Lord. And yet he had the presumption to think that before he sat down he would be able to show that his noble Friend had not in any way estab-

or rather the case which he ought to have attempted to prove—namely, that there was either in the present or in the past condition of the British silk trade any ground for the great reduction of duties which had been proposed by Her Majesty's Government. If his noble Friend had proved anything it was this—that our silk trade was at the present moment in a most thriving condition—that our importations and our revenue, and our exports, had gone on largely increasing, and, consequently, that the trade was in a condition in which a prudent Government would say, "In God's name let us leave this prosperous state of things undisturbed." But when his noble Friend had attempted to prove what he (Lord Stanley) thought he had not succeeded in proving, that our silk trade was at present in a most prosperous condition in consequence of the adoption of the free-trade principle, had not his arguments upon that point completely negatived his statement with respect to the prevalence of smuggling? His noble Friend had gone on to state, that, in his opinion, the proposed reduction of duties would not injure the producer in this country. Now, first of all, he (Lord Stanley) differed from his noble Friend as to his facts; he also differed from him as to the effect produced by the change of 1824, in the prosperity of our silk trade; and he differed from him more especially upon a point which he ought to have proved, or else he had proved nothing—namely, that the results which he had stated had been brought about, not by a diminution of the duty on the raw material, but by a concurrent diminution of the duty on the manufactured article. No man could doubt that the removal of duties on a raw material would naturally lead to a great increase in the consumption of that raw material; and he certainly was not surprised that after the changes of the year 1824 there had been a considerable increase in the importation of the raw material into this country. But that increase had not been so great as his noble Friend would have their Lordships suppose; and, moreover, the increase had not taken place at the time, or in the manner, or to the extent, which his noble Friend would lead them to believe. His noble Friend had been extremely ingenious in the statement he had made to the House; and by any one who had not looked into the facts of the case before, he could easily understand that the statement of his noble Friend would be accepted as nearly conclusive. What had his noble Friend told their Lordships? He had said, "Look to decennial periods—I will not trouble the House with the details of particular years—but look to the immense improvement which has taken place in decennial periods. In the ten years before 1823, the average importation was 1,520,000 lbs., while in the year 1844 the importation was 4,021,000 lbs." That certainly sounded exceedingly well. But he hoped his noble Friend would not be offended if he addressed to him the words —"Now mark how a plain tale will put thee down." He (Lord Stanley) also would show the average increase of importation in a series of years before the alteration of the duties, as contrasted with the average increase in a series of years after the alteration; and that, he thought, would be a fairer test of the advantages of the change than that to which his noble Friend had had recourse. He would take an average of three years, and not an average of ten years. He found that the average importation of the three years 1815, 1816, and 1817, of the raw material, had amounted to 1,388,000 lbs.; the average importation of the three years 1818, 1819, and 1820, had amounted to 1,844,000 lbs.; and the average importation of the three years 1821, 1822, and 1823, had amounted to 2,325,000 lbs.; and in 1824 it was 3,884,000 lbs. There had, therefore, been an increase before the principle of free trade came into operation from 1815 to 1824 — a decennial period — from 1,388,000 lbs. to 3,884,000 lbs. The duties were reduced on the 1st March, 1824. An increase had thus taken place, in the three triennial periods which he had mentioned, in the importation of the raw material of about 1,000,000 lbs. each. He found that in the year 1824, in which the change of duties had been effected, the importation of raw and thrown silk had amounted to 3,800,000 lbs.; and that the importation in 1844 had amounted to 4,400,000 lbs.; which did not give an increase of 1,000,000 lbs. in six years; but an increase of 800,000 lbs. in the course of twenty years under Mr. Huskisson's measure. So much for his noble Friend's decennial periods, and the results of the measure of 1824. But his noble Friend had gone on to state what he admitted to be true, that there had been a very large increase in another article of manufacture; and he boasted that our manufacturers had achieved a great triumph of skill by converting an article which had previously been "a waste"

into a beautiful manufacture. Now he (Lord Stanley) said that, whatever they might do with those knubs and husks, it had nothing whatever to do in the calculation of the increase in the silk trade. Had their Lordships ever seen these knubs and husks? He thought there were many of their Lordships that had not, and therefore he would take leave to show them to them. [The noble Lord here produced a small parcel, from which he took three small bundles, and then proceeded.] Here was a beautiful article that was called Italian silk, and worth from 20*s.* to 27*s.* a pound; here was another description of silk, but of an inferior quality, and worth only from 10*s.* to 12*s.* per lb.—it was called Bengal silk; and here, said the noble Lord [producing a bundle which somewhat resembled undressed flax], "is the valuable article which goes by the name of knubs and husks; this article is worth from 6*d.* to 10*d.* per pound—which you must take into consideration when you are told to look at the amount of the gross weight of your importations." In the year 1824, the total importation of raw silk, thrown silk, knubs and husks, had amounted to 4,000,000 lbs.; and in 1844, it amounted to 6,200,000 lbs., showing a total increase of 2,200,000 lbs. But out of that increase the increase in knubs and husks had amounted from 133,000 lbs. in 1824, to 1,775,000 lbs. in 1844; so that out of the increase of 2,200,000 lbs. there had been an increase to the amount of more than 1,500,000 lbs. in the article of knubs and husks. Now, when they endeavoured to estimate the advantages of the silk trade, they ought not to consider its amount in mere pounds weight, but they ought to look to the amount expended by the making up of the article. These knubs and husks were worked up into coarse yarns, or were used for mixing with and adulterating the already inferior Bengal silk in making "bandannas" which were exported principally to France. A mixture of equal quantities of Bengal silk, and of "waste" silk, would be worth about 5*s.* 6*d.* per pound; and the value of the article manufactured from that mixture was about 7*s.* 6*d.* per pound; that was to say, there would be left for the manufacturer of that article in this country a balance of about 2*s.* per pound. Whereas the Bengal, when worked up by itself, would produce a value of 20*s.*, leaving a profit on employment to the amount of 10*s.* or 12*s.* The Italian silk, though it would cost from 27*s.* to 30*s.* in the pound when manufactured, would produce an article worth from 60*s.* to 70*s.*, which would leave a balance in favour of employment, not of 2*s.*, nor of 10*s.*, but of from 30*s.* to 40*s.* He asked, then, were they to be told that it was a matter of indifference what description of silk should be introduced into this country, provided only it produced employment, without any regard to the profit which might arise from that employment? When they got ten times the employment and ten times the remuneration for the labour of one article which they got by the labour of another article, should it then be a matter of indifference whether the article consisted of rubbish or of a finer description? But when they began to deal with the question — when they looked at the exports of the manufactured goods, and compared them with the imports of the foreign silk manufacture, they were told to look at the imports of the raw material, and that was adduced as an argument to show how much was consumed; but let him say, that the amount of consumption depended altogether on the description of raw material. He had already shown their Lordships that there had been a large increase before 1824; but that, comparatively speaking, there had been but a small increase between 1824 and 1844. He stated the other night, that, on the whole, the trade had not materially increased in the last fifteen years. The exports, as stated by the noble Lord, since 1826, after a great deduction of duties, no doubt had increased; but let the noble Lord show him (Lord Stanley) any other branch in which there had not been a much larger increase: take, for instance, the cotton trade, the woollen trade, and in any or either of these they would find a larger increase than they would discover in the exports of the silk trade. The noble Lord considered it as a triumph that they sent goods to France; but what was the fact? The greatest proportion was manufactured from this rubbish, which he had shown them. The noble Lord did admit that a great part of the exports to France consisted of an inferior article produced from an inferior description of waste silk; indeed the whole of the exports to France, in which the noble Lord prided himself, were composed of an inferior article—a cheap description of goods; and were it not for that description of exports to France, the exports of silk would have been very considerably diminished within the last two

years. He said, then, it did not bear in the slightest degree on the argument, when they came to discuss the question of competing with the French producer of an article, inasmuch as they sent to them that which they never dreamt of making up at all. There was a great disparity in this reciprocity. They sent them that which was produced from an inferior material, while they took from them an article of a higher priced description. He could not exactly state what the value of the goods might be; but it was a well-established fact, that the imports consisted of the finest class of goods. In 1826 the quantity for the home consumption was only 48,000 lbs., while in 1827 it was 115,000 lbs.; and it had been rising since, until the imports of French goods had risen from 115,000 lbs. of waste to 310,000 lbs. in 1845; while our export trade had been almost stationary. Our exports of raw material were trifling; but the imports of the foreign manufacturer, of the highest value and of the most expensive description, had greatly increased — as he said before, from 115,000 lbs. to 310,000 lbs. He said, therefore, upon the very face of this, there appeared no evidence that our trade was on the increase: there was no evidence to prove that any material increase had taken place in consequence of Mr. Huskisson's measure of 1824, though he admitted that the taking off the duty of the raw material did tend to effect an increase; but no proof had been adduced to show that we could compete with the French importer, and who sent us the more important article; and there were far less grounds to show us that we ought to reduce the existing duties on silk by one-half —and this was the proposition which was brought forward by Her Majesty's Government. His noble Friend had stated that it had been impossible for our manufacturers to obtain silk fast enough for their purposes; and to that cause he attributed the stagnation in the trade. Now, he held in his hand a circular of undoubted authority which was drawn up by a well-informed and experienced person in London, in which circular there was given the stock of imported raw silk in hand on the 1st of January last, when it amounted to 15,720 bales. The previous year it was 13,000, the year before 11,00, the year before that 12,000, and on preceding years 11,000, 12,000, and 10,000; but since 1838 there was not so large a stock on hand as there was on the 1st of January, 1846. He believed there were only three years since the year 1830 when the stock had been larger than on the 1st of January, 1846; and yet his noble and learned Friend told them that it was only the exhaustion of the foreign supplies that prevented a greater amount of manufactures being prepared in that country. His noble Friend had not brought forward very prominently the question of smuggling as a ground for the reduction of the duty; but on a former occasion it was stated that it did appear, from the returns of the French custom-houses, that a much greater quantity of silk was shipped for England than was received there, and that, therefore, there must have been a great amount of smuggling. Now, although he did not mean to deny that smuggling took place, he believed that there was less "running" of silk goods than of any other article; and their admission took place through the instrumentality or connivance of their own custom-house officers, who permitted them to pass without payment of duty. He held in his hand a return of the committals and convictions for smuggling in the year ending 1845; the number was 755; and of course it was to be presumed that a large proportion of these must have been for smuggling silk from France. Of these 755,538 were for smuggling tobacco, 176 for smuggling spirits, 31 for smuggling tea; and the total number for smuggling silk was 10 out of 755 persons. He could only suppose that the officers of the Customs were equally vigilant with regard to silk as other articles; and if the same amount of smuggling took place in silk as in the articles of tobacco and spirits, the number of offenders would have been in proportionate amount. He did not, however, believe, that there had been a great amount of silk goods run. Since his noble Friend had last spoken, he (Lord Stanley) had referred to the evidence of Mr. Deacon Hume, and he found that Mr. Hume had fixed an average of 25 to 30 per cent as the amount of duty which might fairly be imposed without the risk of encouraging smuggling. In 1832 Mr. Deacon Hume expressed his opinion on the subject of silk, and he stated that as the *maximum* for protection and the *minimum* for smuggling —would encourage smuggling. Therefore, so far as Mr. D. Hume might be considered an authority, there was no ground for the reduction of duty now proposed. He did not mean to enter into any details which should have been given to their Lordships

by the agents themselves. But what did the silk manufacturers complain of? They said, and they had said so to himself, while you profess to give them nominally a duty of 15 per cent, practically you only give a duty of 7½ per cent, or 8 per cent, or perhaps 9 per cent—and not as you state 15 per cent. In all former statutes and tariffs there was a distinction observed as to silks, gauzes, velvets, and so on, which was not the case in the present Tariff. In the Tariff of 1842 the duty on plain silk was 11*s.* the lb.; on figured silk 15*s.* the lb. They reduced these now, but on what principle? They reduced the figured and plain silk to the same level of 5*s.*—that is, while they professed to give a protection of 15 per cent, they reduced both to 5*s.*—5*s.* was not a protection of 15 per cent to any description of goods. He (Lord Stanley) had a case brought before him that morning which he should mention. There were 24 pieces of silk, amounting to 444 yards, which weighed 50 lbs; the value of this was 170*l.*; it was a valuable description of silk, although but plain, worth 7*s.* 9*d.* a yard. Upon that a duty of 15 per cent would be 25*l.* 10*s.*; but the duty being taken by the weight, that being the mode now proposed to levy the duty according to weight, instead of its being 25*l.* 10*s.*, it would be only 12*l.* 13*s.* 10*d.*, which would be a duty of 7½ per cent, instead of 15 per cent. If that had been brocaded silk, the expense would have been still greater and the duty higher. Now when his noble Friend made an average of silks, satins, and velvets, he wanted to know why he had departed from the system with regard to ribbons alone, and why they had been excluded from the system of averages? His noble Friend had told them that while the measure was in progress a deputation had waited on the Board of Trade, headed by Mr. Ellis, the Member for Coventry, and had shown that a protecting duty of 5*s.* on the pound was not equal to 15 per cent. They showed further that with regard to ribbons a different system of classification should be adopted, and accordingly the duty on ribbons was raised from 5*s.* to 6*s.* per lb. upon plain ribbons, 8*s.* per lb. upon plain satin ribbons, and 10*s.* upon silk or satin ribbons, striped or figured, brocaded, or of more than one colour. Why was that discriminating duty to be kept up with regard to the ribbons of Coventry? The noble Lord must have been induced to comply by some powerful persuasion; he must have been induced to depart from his principle of uniformity by some great influence. He abandoned his duty of 5*s.*; but more than that, he abandoned so far his principle of uniformity. But he would now on this subject refer to the amount of wages and employment. From 1826 to 1832, they had it in evidence that a large and progressive decrease had taken place in the number of spindles which were employed, and there was also an increase in the number of mills and spindles which began to stand still; also the accounts he had received from private individuals were at variance with the statements of the noble Lord, who mentioned to the House that all hands were now fully employed, and that there was also a considerable rise in wages, and that this rise was going on; but he (Lord Stanley) was informed that, with the exception of one article in the silk trade, and that one article was figured velvets, there was a very material decrease in wages. On that one article the highest duty was paid, a duty of 1*l.* 7*s.* 6*d.*, and which produced the highest wages; but the present measure must affect the wages of labour on that article, as the duty was to be reduced from 1*l.* 7*s.* 6*d.* to 9*s.* a lb. First, they were going to reduce that duty which, according to Deacon Hume's calculation, should be 30 per cent, to 15 per cent; and next, they reduced this duty of 1*l.* 7*s.* 6*d.* to 9*s.*: that is, they made a reduction equal to two-thirds. It might effect the desired object, but it did not so appear to him. He was assured, and he was assured of it in opposition to the statement of the noble Lord, that in the silk trade wages had fallen, and that they were falling in Macclesfield as well as in other places; and this he could have proved to their Lordships, had they not refused to hear counsel and evidence by which those facts would be proved one way or the other. The noble Lord had also stated that this measure would give an immense impetus to the silk trade. Was that so? On the contrary, there had been a decrease in the wages paid to those employed. In London, the reduction had been from 1*s.* 2*d.* to 1*s.* a day. Although he could hardly agree in the opinion that great advantages would be derived to the trade from the free introduction of the raw material, yet though it were so admitted, the principle was fully reconcilable with the doctrine of protection—it was a part of protection; for one principle of protection was, to obtain the raw material as cheaply as possible, and to place as high a duty as possible on

the competing article of foreign manufacture. But that was not the question now; no reduction could take place on the raw material, as it came in perfectly free of duty; that was the case, while he thought a duty even on the raw material would increase the silk manufactures of this country. He had shown their Lordships that the foreign imports were increasing, while the exports to foreign countries were in a measure at a stand-still. How were they called upon to meet that state of things? They were called on to meet it by the blessings of an increased competition. They were called on to meet it, not by giving greater facilities, or protection to native industry, but rather by diminishing the one and retarding the other. They were about to diminish that protection under which the silk manufacturing operatives had prospered. By diminishing that protection, they would encourage the import of foreign goods, and thus incapacitate our silk manufacturers at home to maintain that position which hitherto they had occupied. This alteration in the Tariff was not called for by public policy: it was not founded in wisdom, it was not based on justice, nor had it been decided by argument; and he would only add, although it might be an inferior and a very unimportant consideration, by reducing the duty one-half there would be a great reduction in the revenue derived from these imports, which at the present moment produced an annual revenue of 323,000*l.*

On Question, House divided :—Contents 50; Not-Contents 75: Majority 25.

The Schedule was then agreed to, and ordered to stand part of the Bill.

Bill reported without amendment.

House adjourned.

HOUSE OF COMMONS,

Tuesday, June 23, 1846.

MINUTES.] PUBLIC BILLS.—1°. Sugar Duties.

PETITIONS PRESENTED. By several hon. Members, from an immense number of Places, complaining of Refusal to grant Sites for the Building of Churches for the Free Church of Scotland.—By Mr. Raikes Currie, from Inhabitants of the Town of Northampton, for the introduction into all Railway Bills of such Provisions as may appear sufficient for securing the Observance of the Sabbath according to the Commandment.—By Sir Robert Harry Inglis, from Inhabitants of the District of St John's, Fulham, for Repeal of Maynooth College Act.—By Lord Charles Manners, from Dean and Clergy of the Deanery of Framland, in the County of Leicester, against the Union of St. Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Sir Hugh Campbell, from the Presbytery of Lauder, against the Abolition of the existing Religious Tests in the Universities of Scotland.—By Mr. Poulett Scrope, from New Sarum, for rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By Mr. Christie, from several places in the County of Hereford, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Sir Thomas Acland, from the Board of Guardians of the St. Thomas Union, for Alteration of the Poor Removal Bill.—By several hon. Members, from various places, for the Suppression of Promiscuous Intercourse.—From Ministers of Lancaster and Chester, for the Abolition of the Punishment of Death.—By Mr. Hume, from Daniel Toner, of Woolwich, alleging Embezzlement at Woolwich Arsenal.

NEW SOUTH WALES—MR. MANNING.

MR. HUME inquired whether any further information had been received from New South Wales respecting the defalcation of Mr. Manning, the registrar of the court there, and whether the Government had taken any means to repay the creditors on the funds in that court?

The CHANCELLOR OF THE EXCHEQUER replied, that proceedings had already been instituted against the sureties of the defaulting party, and that the sum for which they had rendered themselves liable by bond had been recovered. As for the payment of the charge which might devolve upon the Colony, that was a question of colonial revenue, to be determined in New South Wales.

THE SUGAR DUTIES.

On the Order of the Day for receiving the Report of the Resolution of the Committee of Ways and Means on the Sugar Duties,

MR. B. ESCOTT called the attention of the House to a subject on which there had been a misunderstanding in the House and in the country. The Chancellor of the Exchequer proposed to make a reduction of the duties on sugar to the amount of 3*s.* 6*d.* It subsequently became necessary to bring in a Bill, with the acquiescence of all parties in the House, to continue the sugar duties for one month. The proposition which the right hon. Gentleman first made to the House was, that he would bring in a Bill to continue the sugar duties for one month, not the old duties, but the duties reduced according to the proposition of Government by 3*s.* 6*d.* When that proposition was formally made by the right hon. Gentleman, the hon. Member for Montrose suggested that it would be better that the Bill continuing the duties for a month should continue them as they had previously existed, and not with the reduction proposed by Government. The Chancellor of the Exchequer at once acquiesced in the proposition of the

hon. Member for Montrose, and said he thought it would be better to continue the duties as they had previously existed; but he did not think it necessary to give any reasons to the House for his acquiescence in that proposition. He must say, for his own part, on reconsidering the subject, and hearing the opinions of persons interested in the trade, and those who had the best means of information, and knew the advantage that would be gained, not only by the trade, but by the public, by this reduction of 3*s.* 6*d.*, they should have the Bill with the advantage of the reduction of duty to 3*s.* 6*d.*; and he hoped that no off-hand acquiescence in the proposition of the hon. Gentleman would prevent him from reconsidering the subject, and in this Bill for a month reducing the duties by 3*s.* 6*d.*

MR. HUME explained, that his motive in making the suggestion, in which the Chancellor of the Exchequer had acquiesced, was to avoid having a topic introduced which would necessarily open the door for a long discussion on the sugar duties, before the general question had been formally submitted to their consideration. It appeared to be the general desire that there should be but one debate on this question, and that when it arose all the Amendments which were on the book on the subject should be discussed together. With respect to the proposed reduction of 3*s.* 6*d.* a cwt., its effect just at the present moment would be to throw that amount into the pocket of the importer, without benefiting the public. He was for the abolition of differential duties on colonial and foreign sugar; but some time must elapse before it could be done, in order to enable the Colonies fairly to compete.

The CHANCELLOR OF THE EXCHEQUER said, he had postponed the reduction alluded to entirely from considerations of convenience, in respect to the peculiar circumstances in which he had found himself, and thinking it would be more advisable to have the general question discussed altogether at one time; he did not at all agree with the hon. Member for Montrose on the subject.

The Resolution agreed to. Bill ordered to be brought in.

Bill brought in and read a first time.

THE PUBLIC RECORDS.

MR. CHARLES BULLER, in bringing forward the Motion of which he had given notice, respecting the Record Office, said he did not mean to detain the House at any length on the subject of the Resolution, for it was one the importance of which was so obvious as to render comment unnecessary. His object was to procure the appointment of a Select Committee, to consider and report on the best means to provide a general Record Office in which to deposit the public records of England and Wales. A Committee, over which he had presided as chairman, had directed the attention of the House to this important subject on a previous occasion, and had strongly recommended that no time should be lost in providing a suitable office. Those hon. Members who had served with him on that Committee would remember the annoyance to which they were subjected, in having to go about from one place to another in visiting the various receptacles of the State Papers; and, indeed, it must be obvious to all that great inconvenience and disadvantage must necessarily result from having the records of the country distributed through a great many depositories. This consideration was independent of the yet more important one that the documents themselves were exposed to very great danger where they were at present placed. This matter had engaged the attention of the Master of the Rolls, who, in virtue of his office, was charged with the custody of the records, and by whom the subject had been repeatedly brought under the notice of the Treasury. It was unnecessary that he should enter into any detail of the mode in which the correspondence between the Master of the Rolls and the authorities of the Treasury was for a length of time carried on, without anything having been done with a view to the settlement of the question; but he was sure that hon. Members on all sides would concur with him in thinking that the time had arrived when that House should take some step in the matter. Various suggestions had been made from year to year, and amongst others was one to the effect, that in the New Houses of Parliament a compartment of the building should be especially set aside for the reception of the records; but the result of the consideration given to this matter by the Master of the Rolls was, that none of the suggestions offered appeared to conform with his views of the public interests. These were considerations, however, which would come under the special cognizance of the Committee he was moving for, the Members of which, no doubt, would devote their best attention

to the subject, and recommend that course which appeared to them the most desirable and the most beneficial for the public. The hon. and learned Gentleman concluded by moving for the appointment of a Select Committee.

Mr. WILLIAMS WYNN expressed his concurrence in the Motion of the hon. and learned Member for Liskeard, and suggested that the additional duty should be assigned to the Committee of providing for the classifying the records and procuring the publication of such of them as possessed historical interest. This was a task which had been undertaken, in compliance with a vote of that House agreed to as far back (as well as he could recollect) as the year 1821 or 1822; but it was very much to be regretted that the project had not been completed, but remained still in abeyance. It was very little to the honour of the country that such an undertaking should not have been prosecuted to completion; and he trusted that the House would take measures to have the reproach removed. The Scottish Acts of Parliament had been carefully collated, and were published under the authority of the Commission, with the exception of the first volume, which was to contain the introduction; but the work had been suspended for the last ten or fifteen years, which could not but be a matter of regret. He trusted, however, that the publication would be soon resumed, and that the general task of supervising the publication of such of the records as possessed an historic interest would be committed to the charge of some persons of taste and erudition, and in all respects qualified for the task.

Mr. PROTHEROE fully approved of the Motion of the hon. and learned Member, and hoped that the Government would perceive the necessity of setting about building a proper Record Office at once. It was little less that a reproach to the state of civilization in this country that so little attention should be paid to this matter. No nation that had a history, and valued it, would be careless or negligent of such documents. They were, in fact, its history. A building should be erected specially and exclusively for the reception of these documents, and they ought to be classified with the utmost care. Something ought, certainly, to be done in this matter, and that too without delay; for the present state of things was positively disgraceful. It might not perhaps be within the knowledge of every hon. Member who heard him; but it was, notwithstanding, the fact, that the riding-house at Old Carlton House was at present the principal, almost the only, place of receptacle for the public records. He would have great pleasure in supporting the Motion of the hon. and learned Member for Liskeard, but could not say that he felt equally disposed to favour the suggestion of the right hon. Gentleman the Member for Montgomeryshire. They ought certainly to pause before they undertook to publish the records at the public expense, and at all events it would be vain to undertake the task before the documents had been arranged and classified. Moreover, he was inclined to think that it was an objectionable proceeding to impose upon one Committee two classes of duties so dissimilar, and in each case so important.

The CHANCELLOR of the EXCHEQUER thought it would be inexpedient to adopt the suggestions of the right hon. Gentleman the Member for Montgomeryshire; but the Motion of the hon. and learned Member for Liskeard appeared to him to be one, the object of which was exceedingly desirable, and he would accordingly have great pleasure in supporting it. The question of how far it was desirable that all the records should be brought together into one building, or distributed through various departments, was one which he trusted would engage the especial attention of the Committee, who, he hoped, would come to a satisfactory determination, and take care to make proper provision for the preservation of the documents, at the same time that they avoided involving the country in unnecessary expense. Especial care should be taken that no building should be erected that was not in all respects properly adapted for the purpose which was in view, for otherwise unnecessary expenditure to a very large amount would be the result.

Mr. C. BULLER observed that the work which the right hon. Gentleman opposite (Mr. Wynn) proposed to be done by the Committee was not only alien to its duties, but it was hardly a work to be left to a Committee of that House at all. It was a matter of literary judgment and knowledge, and required to be conducted with the greatest amount of literary and historical taste. He thought a selection should be made of those historical works, and that the public would be better satisfied if the matter were referred to some

commission of men conversant on the subject than to a Committee of that House.

Motion agreed to.

SUPPRESSION OF VICE.

MR. SPOONER rose to move, pursuant to the notice he had given, for leave to introduce a Bill for the suppression of trading in seduction and prostitution, and for the better protection of females. He believed the Secretary of State for the Home Department did not intend to make any objection to the introduction of the Bill; and as he dared say no hon. Member would object to the introduction of it, he thought it unnecessary to detain the House by entering into the question. He was sorry to understand from the hon. Member for Montrose that it was necessary to explain the measure to the House, and also to explain why it was that he had presumed to bring forward this Bill. The hon. Gentleman was proceeding with his statement, when

AN HON. MEMBER moved that the House be counted, and there being only thirty Members present,

The House adjourned at a quarter past Seven o'clock.

HOUSE OF COMMONS,

Wednesday, June 24, 1846.

MINUTES.] PUBLIC BILLS.—1°· Real Property Conveyance; New Zealand Loan.

2°· Sugar Duties; Bankruptcy and Insolvency.

Reported. Service of Heirs (Scotland).

PETITIONS PRESENTED. By several hon. Members, from various places, complaining of Refusal to grant Sites for Free Churches (Scotland).—By Mr. Hawes, from Limpsfield, for the Better Observance of the Lord's Day.—By Lord John Manners, and Mr. Watson, from Netherton and Chelmsford, in favour of the Roman Catholic Relief Bill.—By Mr. P. Scrope, from Saffron Walden, against the Roman Catholic Relief Bill.—By Mr. T. Duncombe, from Huddersfield, for Inquiry into the Anatomy Act.—By Mr. B. Denison, and Viscount Morpeth, from Farnley Tyas and Cartworth, against the Highways Bill.—By Mr. T. Duncombe, from the Lunatics Friend Association, for Inquiry into the Treatment of Lunatics.—By Mr. T. Duncombe, from Hanley and Shelton Potteries, against the Protection of Life (Ireland) Bill.—By Mr. Hawes, from John Woods, for Inquiry.

PARLIAMENTARY ELECTORS AND FREEMEN BILL.

SIR DE LACY EVANS moved the Second Reading of the Parliamentary Electors and Freemen Bill, and stated that the principle affirmed in the first clause had, on a former occasion, received the sanction of the House. One of the clauses of the Reform Bill required the payment, before the 20th day of July, of all rates and assessed taxes due on the 6th of April in each year, in order to entitle electors to be placed on the registry; but this regulation was extremely inconvenient, and had been found to operate so disadvantageously for the electors as to amount to a serious interference with the privilege of franchise. Some years ago he presented a Bill to remedy this defect, by extending the period within which the taxes should be paid; but this Bill, as well as a similar measure submitted by the noble Lord the Member for London, in the year 1836, was stopped in its progress through the other House of Parliament, notwithstanding that both measures had received the sanction of the House of Commons. He did not mean by the present Bill to interfere with the principle of the Reform Act. His object was merely to effect an alteration in the period allowed for payment, by enacting that for the future, instead of the rates and taxes which were due on the 6th of April in each year being necessarily payable on the 20th of July, before the elector could be registered, it was to be understood that no elector should be required, in order to entitle him to have his name registered, to have paid any rates or taxes except such as should have become payable from him previously to the 11th of October in the previous year. In other words, he wanted to enlarge the period for payment by giving the electors a few months more time, in order that the intentions of the Reform Act might not be defeated, as he believed them to be under the operation of the present system—a system which was very inconvenient, and resulted in a positive interference with the privilege of the electors. In the parishes of St. George and St. Margaret, Westminster, no less than 684 persons had been deprived of their franchise under the operation of the clause in the Reform Act to which he objected, because they had not paid their rates and taxes within the prescribed period; but of these only one had subsequently failed to pay those taxes—a fact which showed that the non-payment before the day stated in the Act did not result from any inability on the part of the electors to satisfy the demand, but, very possibly, from the negligence of the collectors in applying for the taxes, or from carelessness on the part of the electors themselves, who were not aware that the taxes should be paid within a period so brief as that prescribed. A number of citizens who resided in the most opulent localities of London, and whose ability to pay could not be

for a moment questioned, had been disfranchised under the operation of the cause in question; and it was clear, therefore, that the restriction as at present limited was a useless and vexatious one, which very much tended to defeat the intentions of the Legislature as evidenced by the Reform Act. He could not understand what valid objection there could be to adopting a more liberal policy, by extending the time within which the taxes should be paid. There was another provision in the Bill now before the House, which he also thought should be regarded as an emendation of the present system, which was, that every person claiming to be rated to the relief of the poor shall, for the purpose of registration, be deemed to have been rated from the period at which the rate shall have been made in respect to which he shall have claimed to be rated, notwithstanding the making of any subsequent rate from which his name might be omitted. This he considered a fair and equitable arrangement. The Bill also contained a provision for the abolition of stamp duty on the admission of freemen. He believed that the proposed Bill would have the good effect of leaving the rights and privileges of electors less at the mercy of collectors and overseers than they were at present, and concluded by moving that the Bill be read a second time.

The ATTORNEY GENERAL felt bound to offer his opposition, and opposition too of a strenuous nature, to the second reading of the Bill. He was not aware that the sanction of the House of Commons had been given (as was asserted by the hon. and gallant Member) to any measure similar in principle to the present. On the contrary, the sanction of the Legislature had been given to an Act which was in its principle essentially dissimilar to the present Bill—he meant the Reform Act. Although the present Bill was a short one, it was an important one, and appeared to him to make a very formidable inroad on the Reform Act, which provided that no party could be registered unless he had occupied his house (value 10*l.*) for twelve months previous to the last day of July in the year in which he applied to be registered; and unless he had been rated for, and had paid, all the rates and assessed taxes due up to the previous 6th of April, such payment to be made before the 20th of July. It might be supposed that the overseers had virtually the power to deprive parties of the elective franchise, by refusing to assess them; but it was competent for the party, whether landlord or occupier, so treated to apply to the overseer, to have his name inserted in the rate list; and if he tendered the rates and paid them, the overseer was bound, as of necessity, to comply with the application. In fact, there was a special provision in the Act, by the 76th section, that the overseer who neglected his duty in this particular, subjected himself to a penalty of 500*l.* Under these circumstances, he could not understand how it could be said that the privilege of the elector was endangered or jeopardised. The hon. and gallant Member proposed that the party seeking to be registered should be permitted to be in arrear, not from the 6th day of the April preceding the period of his application, but from the 11th day of the month of October in the year previous; but no argument of a satisfactory nature, that he had heard, had been adduced to justify the introduction of a change so sweeping. In the year 1843 an Act was passed which in some respects altered the mode of registration. The Act provided that the overseers should give a public notice to the parties claiming to be put on the registry, so that no party should lose his right. Notwithstanding the complaint of the hon. and gallant Member that a number of persons in a very populous parish had forfeited their right to vote, because of the shortness of the time allowed under the Act for paying up the taxes, it certainly did appear to him that there was ample time between the 6th of April and the 20th of July to pay all the rates due up to the former period. Most assuredly there was ample time, if the parties cared for exercising their privilege, and unless there was very great negligence indeed no injury could possibly result. The hon. and gallant Member had proposed to effect another alteration, to the effect that a party claiming to have his name inserted in one rate, without any tender or payment of money, should be entitled to have his name inserted in the registry. [Sir De Lacy Evans: Provided the rate be actually paid.] He was commenting on the Bill as it at present stood, and not on alterations which were proposed to be effected hereafter. He objected to the Bill as opposed to the principle laid down in the Reform Bill, without any necessity being shown for its introduction. On these grounds he should give his decided opposition to the second reading, and would move

as an Amendment that it be read a second time that day six months.

MR. HUME expressed a hope that the House would affirm the principle of the Bill introduced by the hon. and gallant Member, and permit it to go into Committee, in order that the alterations of detail that might be deemed essential might be inserted. He for one went further than many in that House, and objected altogether to the payment of taxes as the ground upon which a party should claim the right to exercise the franchise. But on this he need not now enter. The whole question in the Bill was whether they would enlarge the time for the payment of the taxes from three to six months, and that did not appear to him an unreasonable demand. He hoped, therefore, that the House would assent to the second reading.

MR. WILLIAMS objected as much as the hon. Member for Montrose to the payment of taxes being connected with the exercise of the franchise. He thought the franchise was limited enough already, and the principle of making it dependent on the payment of taxes was decidedly objectionable. He should have great pleasure in supporting the Bill of the hon. and gallant Member for Westminster, and he could not understand on what grounds hon. Members could object to its principle, which was simply that of extending the period of paying the taxes from three to six months.

MR. ESCOTT supported the Bill. He thought the present system afforded great opportunity for the exercise of bribery, and he objected to it accordingly. He hoped the House would not object to going into Committee on the Bill.

SIR JAMES GRAHAM said, that if any alteration in the details of this Bill could remove his objections to it he would not oppose the second reading, but at once assent to the House going into Committee on it; but his great objection to the measure was one of principle, and under these circumstances he could not support the Motion of the hon. and gallant Member for Westminster. He objected to any enlargement of the time fixed by the rating clauses of the Reform Bill with reference to the credit to be given for the payment of rates and taxes. He did not mean to contend that the clauses in question afforded an infallible test of the intelligence and independence of voters; but they afforded the best test that under all circumstances could be expected, and he was accordingly opposed to any alteration in those clauses. The extension of the period of payment from three to six months would not decrease the opportunities of bribery: it would only cause a greater amount of arrears to accrue. In 1843 the subject had before come under the view of Parliament; and after a lengthened discussion the result was, that it was determined that credit should be limited to three months. If there were any neglect upon the part of the overseer or tax collector, that was fully provided for by the Reform Act, which enacted that any overseer or tax collector refusing to give to the claimant the full benefit of his claim, should be liable to penalties to the extent of 500*l.*, to be obtained by trial by jury. If it were objected that that was an expensive and difficult remedy, it would be found that by an Act lately passed, a summary process was given before the revising barrister, by which penalties to the amount of 10*l.* could be inflicted. No doubt the mere claim would not be sufficient. It must be accompanied either by the payment or by the tender of the rate, and he thought that such a provision was extremely necessary as a test of the solvency of the voter. He did not think it expedient to extend the period of credit. He thought that the claimant should not only repeat his claim, but that a tender of the rate should be made at the same time; and with respect to intermediate rates, he was also of opinion that there should be no omission either of claiming or of payment, or tender of payment. For these reasons he should support the Amendment of his hon. and learned Friend.

SIR G. GREY agreed with the hon. Member for Winchester, that there was no question of principle involved in this Bill, but that it was merely a question of degree. It professed to meet a practical evil, which no doubt existed, for it could not be denied that many persons were not placed upon the register because they had not paid their intermediate rates, but of whose solvency there could be no doubt, and who had not been called upon to pay up perhaps on this very account, that the collector knew them to be responsible persons. Others, again, might be absent from town, and, being known to be absent, might not be called upon, so that the consequence was, that they also would be omitted from the register. The question was, whether or not they were to affirm that there never

should be an extension of the time of credit. His own opinion was that there should be; and if the Bill went into Committee, it would be a fair question for argument whether nine months or six months should be given. He should therefore support the second reading.

Mr. BERNAL supported the Bill. The extension of the period of credit would be very beneficial in this way: the tax collectors had very arduous duties to perform, and it often happened that persons whose solvency could not be doubted were not called upon within the three months. It was a very hard case that the only alternative which such persons had, was either to run about the town after the collector and pay him, or to have their names omitted from the register.

Mr. HENLEY opposed the Bill. He thought that no benefit at all would result to the poorer classes by extending the period of credit. On the contrary, it would only tend to embarrass them, and to get them into difficulties.

Colonel SIBTHORP said, this was a very late period of the Session for entering into any discussion as to alterations in the Reform Bill. He could not consent to any such alteration just now, and he should therefore be compelled once more to go into the same lobby with Her Majesty's Ministers. He didn't think the Bill at all necessary. It tended to increase the borough voters. He considered that a 10*l.* Lincoln voter was as good as a 20*l.* voter in St. Giles's any day.

Mr. T. DUNCOMBE said, as he had the honour to represent the parish of St. Giles, he must say a word with respect to the last observation of the gallant Colonel opposite. Perhaps the gallant Colonel did did not know what the parish of St. Giles was. He would tell the gallant Colonel, then, that it included part of Lincoln's-inn Fields, the principal inns of court, and the chambers of many eminent lawyers. Did that make the gallant Colonel think any higher of it? Perhaps, then, the gallant Colonel had been so unfortunate as to be acquainted only with the lowest purlieus of St. Giles's. He had never had the honour of seeing a Lincoln ten-pounder; but if he might judge of them by their representative, he must say that from one end of Finsbury to the other, from St. Giles's to St. Luke's, he had never seen anything, whether as regarded mental accomplishments, elegance of diction, or personal adornment, the least like a Lincoln ten-pounder. He contended that borough electors were quite as respectable as the county 50*l.* freeholders: they were certainly much more independent, and had quite as good a right to vote. This Bill was good as far as it went, and he should vote for it; but it was only bolstering up a bad system. He contended that the borough electors should be put upon the same footing as the 50*l.* freeholders. When the Whigs were in office, he succeeded in introducing a Bill for the repeal of certain injurious clauses of the Reform Bill; but it was unfortunately defeated in a subsequent stage. The present Bill did not go nearly so far as that one, yet it was likely to be thrown out upon the second reading. It only showed that that House was becoming too aristocratic, and that they were retrograding instead of advancing in the principles of reform.

Mr. WALPOLE was understood to say that the tendency of the Bill would be to change the principles of borough voting.

Mr. P. HOWARD thought that the proposed Bill would tend materially to complicate the present law. It was the duty of householders to assist their poorer brethren by the prompt payment of the poor rates, and he considered that they might fairly hold out the Parliamentary franchise as a reward for their punctual payment.

The House divided on the Question, that the word "now" stand part of the Question:—Ayes 53; Noes 94: Majority 41.

List of the Ayes.

Baine, W.	Langston, J. H.
Baring, rt hon. F. T.	McTaggart, Sir J.
Berkeley, hon. Capt.	Maitland, T.
Bernal, R.	Manners, Lord J.
Bouverie, hon. E. P.	Marjoribanks, S.
Bowes, J.	Marsland, H.
Bridgeman, H.	Maule, rt. hon. F.
Browne, hon. W.	Milnes, R. M.
Busfeild, W.	Mitcalfe, H.
Christie, W. D.	O'Brien, W. S.
Cowper, hon. W. F.	Ord, W.
Crawford, W. S.	Pigot, rt. hon. D.
Dawson, hon. T. V.	Powell, C.
D'Eyncourt, rt. hn. C. T.	Protheroe, E.
Duncan, Visct.	Roebuck, J. A.
Duncan, G.	Ross, D. R.
Duncombe, T.	Russell, Lord J.
Dundas, Adm.	Scrope, G. P.
Escott, B.	Thornely, T.
Fitzgerald, R. A.	Vivian, J. H.
Forster, M.	Watson, W. H.
Gibson, T. M.	Wawn, J. T.
Gill, T.	Williams, W.
Grey, rt. hon. Sir G.	Worsley, Lord
Hall, Sir B.	Wyse, T.
Hastie, A.	TELLERS.
Hawes, B.	Evans, Sir D. L.
Hill, Lord M.	Hume, J.

List of the NOES.

A'Court, Capt.	Holmes, hon. W. A'C.
Alexander, N.	Hope, G. W.
Allix, J. P.	Hotham, Lord
Arbuthnot, hon. H.	Howard, P. H.
Austen, Col.	Inglis, Sir R. H.
Baillie, Col.	Johnstone, Sir J.
Baring, rt. hon. W. B.	Johnstone, H.
Bateson, T.	Jones, Capt.
Beckett, W.	Kemble, H.
Bell, M.	Lawson, A.
Beresford, Maj.	Lennox, Lord G. H. G.
Blackburne, J. I.	Lincoln, Earl of
Borthwick, P.	Lincoln, Earl of
Bowles, Adm.	Lindsay, hon. Capt.
Boyd, J.	Lockhart, W.
Bruges, W. H. L.	Long, W.
Cardwell, E.	Lygon, hon. Gen.
Chichester, Lord J. L.	M'Neill, D.
Clive, Visct.	Mainwaring, T.
Clive, hon. R. H.	Meynell, Capt.
Colquhoun, J. C.	Neville, R.
Coote, Sir C. H.	Newport, Visct.
Damer, hon. Col.	Nicholl, rt. hon. J.
Deedes, W.	O'Brien, A. S.
Douglas, Sir H.	Packe, C. W.
Douglas, Sir C. E.	Palmer, R.
Estcourt, T. G. B.	Peel, rt. hon. Sir R.
Farnham, E. B.	Peel, J.
Feilden, W.	Round, J.
Fitzroy, hon. H.	Seymer, H. K.
Forbes, W.	Sheppard, T.
Frewen, C. H.	Sibthorp, Col.
Fuller, A. E.	Somerset, Lord G.
Gordon, hon. Capt.	Somerton, Visct.
Goring, C.	Spooner, R.
Goulburn, rt. hon. H.	Sutton, hon. H. M.
Graham, rt. hon. Sir J.	Thesiger, Sir F.
Greene, T.	Tollemache, J.
Halsey, T. P.	Trotter, J.
Hamilton, G. A.	Villiers, Visct.
Hanmer, Sir J.	Vivian, J. E.
Harris, hon. Capt.	Walpole, S. H.
Hayes, Sir E.	Wellesley, Lord C.
Heneage, G. H. W.	Wood, Col.
Henley, J. W.	Wood, Col. T.
Herbert, rt. hon. S.	Wortley, hon. J. S.
Hervey, Lord A.	TELLERS.
Hill, Lord E.	Young, J.
Hodgson, R.	Cripps, W.

Main Question as amended agreed to. Second reading put off for six months.

ROMAN CATHOLIC RELIEF BILL.

House in Committee on the Roman Catholic Relief Bill. On the question that the Preamble be postponed,

SIR R. H. INGLIS said it was very true that the Bill was so altered from what it was when he had first urged his objections against it, that its parent could hardly recognise his own child. Bad, however, as it originally was, and mutilated as it now was, it still retained sufficient substance to justify him in continuing his opposition to it. The very first clause of it recited the expediency of repealing almost all those provisions which in the Roman Catholic Relief Bill gave security to the Established Church. The general tendency of the Bill was to forward the views of the Roman Catholic Church, which was at the present time seeking its own aggrandizement throughout the whole civilized world, and to remove that security which they had provided in this country for upholding their Protestant Constitution. He had no doubt the right hon. Baronet at the head of the Government was fully aware of the attempts which were now making to introduce into this country the question of mixed marriages. That question, which had disturbed the peace of a large portion of the Continent of Europe, was now sought to be introduced into this kingdom. He wished to call the attention of the Government, as well as that of the hon. Gentlemen opposite to this subject. By the documents which he held in his hand, it appeared it was peremptorily enjoined, that no Roman Catholic priest should solemnize a mixed marriage, unless he obtained a written engagement that all the children of such marriage shall be brought up in the Roman Catholic faith. He did not blame the Roman Catholics for this—that was not his point—but he felt that this fact was sufficient to fortify him in his determination not to yield to the demands made for the withdrawal of those securities which the Protestant faith at present enjoyed. In France it appeared that this system was now in full vigour, and where marriage was contracted, as a religious ceremony, the Roman Catholic priest was required to obtain a written contract, by which the parents were bound to bring up their children according to the doctrines of the Church of Rome. This fact was verified by the correspondence which he held in his hand, and was particularly dwelt upon in the letter of Cardinal Bishop of Arras. Whilst the Roman Catholics were seeking to remove disabilities from themselves they were imposing civil disabilities on others. He thought the Bill retained sufficient evil as it now stood to warrant its rejection absolutely and entirely. He therefore moved that the Chairman do now leave the chair.

MR. WATSON said, he had no objection to test the Bill by another division. It had already been tested three times, and he was rather desirous to see its principle again tested. He maintained that the Bill was called for, inasmuch as the provisions which it was intended to repeal, were provisions which ought not to be

allowed to remain on the Statute-book. He was desirous that the Bill should pass, and therefore he was ready to agree to any alteration in the clauses which could be made consistently with the present form of the Bill, for he was only desirous to see it rendered effectual. The first clause, relating to the assumption by dignitaries of the Roman Catholic Church of titles now enjoyed by the dignitaries of the Protestant Church, had been objected to; but it did not involve as important considerations as those which followed, He introduced a clause to the effect that nothing in the Act should be construed to enable any person or persons to exercise the rites and ceremonies of the Roman Catholic Church in any public street or road; and he did so because it might not be agreeable to many persons to witness the ceremonies of the Roman Catholic Church in the public streets. The last clause which he proposed to introduce was, however, the most important, affecting as it did the regular clergy of the Catholic Church. When it was recollected that there were in England and Ireland considerable bodies of persons of the Roman Catholic religion, who devoted themselves to the education of youth, and reflected that those persons where they belonged to the regular religious orders of that church, coming into the country after 1829, were subject to banishment, he was sure the House would agree with him that the law which subjected those religious orders to punishment ought not to be allowed to remain on the Statute-book. All the regular clergy of the Roman Catholic Church, who came into the country after the passing of the Act of 1829, were subject to banishment; and that was a state of the law which ought not to be allowed to continue. It had been asserted by those who were in favour of the provisions which he was desirous to see repealed, that some of them were safeguards of the Church; but he could not conceive that any such means were requisite as a safeguard to the Church. But in order to remove objections to the clause permitting the residence of the regular religious orders, he had provided for a registration.

Sir J. GRAHAM: Sir, I, in common with the hon. and learned Gentleman, have laboured under a misapprehension as to the course which would be taken by the hon. Member for the University of Oxford. I had understood that before the Speaker left the Chair, the hon. Member would have made a Motion that this Bill should be committed this day six months; and if the hon. Member had made that Motion it was my intention to have given him my support. The House, however, is now in Committee, and a Motion having been made, which is equivalent to the rejection of the Bill, if that Motion be pressed to a division it will be my duty to divide with the hon. Member for Oxford University. Sir, the present Bill consists of four enactments; and the hon. and learned Gentleman has noticed only three, leaving out one, not the least important. The first clause enables the archbishops and bishops of the Roman Catholic Church to assume the titles of the sees of the Protestant Church; and, dealing with a subject of great gravity, the hon. and learned Member attaches so little importance to his own Bill that he says, if there be any great objection to this clause, he will withdraw it. There is, Sir, I confess, something which appears to me like levity in dealing with a matter of such importance, and then in declaring it to be of little importance whether the clause as it stands shall become the law of the realm or not. Sir, I do not regard this as a matter so trivial and so unimportant. I concede frankly and freely to the prelates of the Roman Catholic Church the orders and the titles of archbishops and bishops according to their sacred ordination; that is frankly conceded by the people of this country, the law allows it, and custom has sanctioned it; we have conceded them that rank and station; but the question is, whether we allow them to assume the titles of the provinces and sees of the Protestant Church? And if we are to have an Established Church in the full possession of its rights, titles, and privileges, I do not think that titles coterminous with the rights and privileges of the prelates of the Established Church, and that the same designations, can or ought to be conferred on any prelates who are not of that Established Church. Nor do I see any advantage, so far as the Roman Catholics themselves are concerned, in the use of those titles. In this country the Roman Catholic Church is in possession of its power and privileges, and is in the full performance of its duties; yet I am not aware that any bishop of that church has preferred any such claim. In Ireland the districts are not coterminous, and the particular designation of the locality is not, therefore, necessary to be precisely the same for the Roman Catholic archbishops and bi-

shops as for the Protestants. [Mr. Ross: Except that it is so in practice.] The hon. Member says it is so in practice; but this is not done by the prelates themselves, and they would act in contravention of the law of the land if they assumed those titles. It is true that there is no punishment inflicted upon other parties so addressing them, and that the penalty attaches only to the archbishops and bishops themselves if they assume the titles; but I say that it will not be consistent with the maintenance of the Established Church in its rights and privileges, if the law shall sanction the same rank being taken by ecclesiastics of a different persuasion, and the same titles being assumed. Sir, in my judgment, by such a sanction we should be causing dangerous confusion, and should be injuring the prelates of the hierarchy in communion with the State. I think that the provisions of the Roman Catholic Relief Bill are salutary provisions; and I am decidedly attached to the maintenance of those provisions which the State sanctioned when the Roman Catholic Relief Bill was passed. So much for that part of the Bill. With respect to the second clause, the hon. and learned Gentleman has already felt that the appearance of the Roman Catholic prelates and priests *in pontificalibus* in public places in this country cannot be proper; he sees that some alteration is necessary, and he does not adhere to the clause as it stands; he feels that public feeling would have revolted at the appearance of Roman Catholic processions in the public streets of this country, and he therefore says that this clause of his Bill as it at present stands cannot be reconciled with that public opinion. Upon the whole, Sir, I think the line drawn at the passing of the Roman Catholic Relief Bill was wisely and well drawn. It imposes no difficulties in the performance of divine service by the prelates and priests of the Roman Catholic religion. In places of public worship, and in private houses for the celebration of mass, they may appear in their pontifical robes; and I do not think the particular qualification now suggested by the hon. and learned Gentleman, that they may appear in their pontifical attire in any place except the public streets, is sufficiently limited. There is, under the existing law, full power for the performance of solemn and religious rites in public places of worship and in private houses; and I do not think it wise or expedient to pass beyond that limit. I then come to the third clause of the Bill, which the hon. and learned Member has passed over in his speech. I do not know, therefore, whether he means to adhere to it, or to abandon it, as he is willing to do with the first clause, as being wholly unimportant. [Mr. WATSON: I intend to adhere to the clause.] The hon. and learned Gentleman says that he intends to adhere to this clause, which directly infringes the principle which was settled by the Relief Act; and again I say that if we are to have an Established Church amongst the constituted authorities of this realm, we ought not so to make an exception in favour of another religion, whatever it may be. Whether we are to allow a judge, or mayor, or sheriff to go to a place of worship in his scarlet robes or not, is a question which I find regulated by the law, and regulated in a manner which I think right. We are inflicting no great hardship if we require that any mayor or judge going to any place of worship, whether Roman Catholic or a meeting-house, shall lay aside his robes of office; indeed, I am not aware that there would be much harm done if they were not to attend the services of the Established Church itself in the trappings of office. But again I say, that if we are to have any regulations in this matter, I will adhere to the regulations as I find them in the Statute-book, and I am not prepared to sanction the attendance of those high officers upon public service in a Roman Catholic place of worship with the insignia of their office. So much for those clauses. I am decidedly of opinion that the law as it stands is right; and I repeat, as I think the hon. and learned Gentleman wrong, I feel no hesitation in voting against him. I have already referred to three of the clauses of this Bill: I now come to a matter of infinitely greater importance, relating to the regular orders in this country. And, Sir, I certainly do not participate in the expression of that jealousy which has been stated by others with reference to the regular orders. I should be the last man to cast any sweeping censure upon them; I will not ascribe to them any disloyal or treasonable intention, endangering the safety of the State; I entertain no such opinions of them; and even with respect to one of those orders in particular—I allude to the Jesuits—I cannot forget that literature and that the Christian religion are under immense obligations to that order. I believe that they are among the most learned and the best educated members of

the Christian faith; but on the other hand, I am bound to state, with respect to that order, and to the regular orders generally, that the members of the Protestant religion have just cause of jealousy—not on account of the political opinions of those orders, but on religious grounds; because it must be admitted that the regular orders are the aggressive force, and that they supply the missionary body most active in the conversion of those who are heretics in their eyes. I therefore say, that the Protestant Establishment has just cause, upon religious grounds, to entertain a jealousy of the regular orders. Still, upholding as we do a spirit of just toleration, and having an immense body of Roman Catholics in this country, we cannot give its full and its proper effect to that tolerant spirit if we exclude the regular orders. The hon. Gentlemen opposite entertain conscientious feelings upon this subject, and I should be sorry to speak one word irreconcileable with my respect for those feelings. But I have reason to believe that in the great sacrament of the Roman Catholic Church —the Confession—the regular orders, so far as the laity are concerned, do administer that sacrament in a manner which is most consistent with the feelings and the sentiments of the laity. I, therefore, feel we are in this position with respect to the regular orders in this country—that we have 8,000,000 of Roman Catholics, and that we can hardly, by any sound argument, maintain any exclusion against them. The question, therefore, resolves itself into a question of regulation. And while I say that although the law as it stands, under the Roman Catholic Relief Act, imposes very stringent regulations upon the regular orders in this country, I must say also that, practically, no real grievance is felt by them. I cannot doubt —the hon. Member opposite cannot doubt —that the monastic vow is still taken constantly in this country. The hon. Member cannot doubt, in the first place, that there are large numbers of the monastic orders not only in Ireland, but in England; and, in the next place, that there is a large number who take the monastic vow, notwithstanding the Roman Catholic Relief Act. In the situation I hold, as presiding over the Home Office, I can say that there is no record of these orders or vows. I do not state this in commendation of the existing law of the land; but I state it as a practical fact, to show that there is no practical grievance existing under the operation of the law as it now stands. I cannot say, however, that the state of the law is satisfactory, when it is admitted by a Member of the Executive Government that it is only by sufferance, and not under the law, that these exist. I come now to what ought to be done. I cannot think it right to deal with a question of this importance lightly, or without ample consideration. And I do not think that, at the present moment and under present circumstances, we ought to deal with this particular subject in the manner which is now proposed. I do not say that the whole state of the law with respect to the monastic orders does not require revision; but, with the feeling which is known to exist in this country, and with a due regard to the interests of the Established Church, I repeat that we ought to deal with this subject with peculiar caution and with the greatest deliberation. Let me remind you that in countries not despotic—in countries in which there is not any feeling of strong religious bigotry—there is yet peculiar jealousy entertained of these particular orders. I need not remind you of what the French Government and the French Legislature have recently felt upon this subject. Whilst, then, upon the one hand, I cannot deny the existence or the merits of the regular orders; on the other hand, I cannot dissent from the statement that these monastic bodies are the aggressive force of the Roman Catholic Church, and certainly are, to a great extent, the means by which that church seeks to convert parties from what they consider the error of their ways. Under such circumstances, it cannot fail to be the opinion of the House that the utmost caution is necessary in dealing with this matter. Nor can I think that, at the present time, the House is in a position to bestow upon it all that dispassionate attention which it requires; at the same time, I cannot say I am satisfied with the law as it stands; but, on the other hand, I am not satisfied with the provisions sought to be introduced by the hon. and learned Gentleman for the amendment of the law. With respect, then, to the first three clauses, I am decidedly opposed to the alteration which they propose to make; and as to the fourth, I have endeavoured to show to the House that there is no pressing necessity to deal with the subject, because there is no practical difficulty sustained by those for whose relief this Bill is intended. It is also such delicate ground upon which we are entitled to

tread, that, upon the whole, I have come to the conclusion of the hon. Baronet the Member for Oxford, that it is not expedient now to proceed with this Bill, and that it is wise and prudent to postpone the further progress of the Bill until some future period.

MR. WYSE thought, that if every one treated the question in so temperate and dispassionate a tone as the right hon. Baronet opposite, this was a most fitting period for its discussion; and for his part he had scarcely a doubt that there was little difference between the manner in which the right hon. Baronet had spoken on the subject, and that which would be adopted out of doors. Indeed, he had no doubt that the minds of a large portion of the public were made up as to the propriety of repealing those provisions which had been so frequently alluded to. In this country the subject of the descent of the bishoprics had been a subject of much controversy, and Catholic bishops had been appointed bishops *in partibus infidelium;* but in Ireland the Catholics held that their bishops were the legitimate successors of the early Christian bishops, and when such was the case, he could not see any danger to the Protestant Church from the assumption of the title of the bishopric by the Catholic bishop. In the Charitable Trusts Bill an archbishop and bishop of the Catholic Church of Ireland had been named, and thus recognised by law; and he would ask why the House would consent to give them these anomalous titles? The right hon. Baronet stated as an objection, that Protestant archbishops and bishops in Ireland had the same titles as those which would be assumed by the Catholic archbishops and bishops; but he (Mr. Wyse) would remind the right hon. Baronet that there were some places in Ireland where there would be no such objection; as, for example, the archbishopric of Tuam, in which there was no Protestant archbishop, although there was a Catholic archbishop. The only effect the clause could have would be to produce to a certain degree an equalizing of the titles, and he would never assent to any proposition which would not recognise a perfect equality in Ireland between both the churches. With respect to the attendance of Catholic mayors or judges in their churches, wearing their insignia of office, the proposed alteration would be a great advantage, as promoting union and good feeling, for under the present system those who wore insignia of office only took them off at the door of the church, thus making the state of the law more marked. The objection to the recognition of the regular religious orders of Catholics could only have any force against the Jesuits, provided the prejudices against the Jesuits were well founded; but these prejudices ought not to have any force against the other religious orders. The right hon. Baronet stated, that the regular orders of clergy were particularly devoted to proselytism; but he could assure the House that there were orders which were less so than the secular clergy, and who were devoted solely to the encouragement of education: such, for example, as the Christian Brothers, who educated great numbers of the youth of Ireland. There was on his property in Waterford a school of the Christian Brothers, at which 600 children were gratuitously educated; and in Cork there was a school of the same order, at which 1,000 youths were educated. The Christian Brothers were a great benefit to the community; and, as he before remarked, the objections which had been raised could only be applied to one order—the Jesuits—in case the prejudices against the Jesuits were well founded. That order (the Jesuits) was remarkable for the conservative character of its members. The Jesuits of Stonyhurst in England, and of Clongowes in Ireland, were almost entirely resident within the walls of the colleges, and were scarcely ever seen beyond them. The expulsion of the Jesuits from France was caused solely by their adherence to the interests of Charles the Tenth. He thought it was unwise to permit to remain on the Statute-book penalties which were not enforced. It was not a good system to tell the people that those penalties would be kept on the Statute-book, but that there was no idea of enforcing them; it was telling the people they (the House of Commons) were false teachers, and telling them so from this, which might be called the public chair of morality. He would support the clauses of the hon. and learned Member.

VISCOUNT CLIVE reminded the House that the objectionable part of the first clause had been removed by the hon. and learned Gentleman (Mr. Watson), who had charge of the Bill; and as he had also promised to remove, in Committee, that portion of the clause having reference to the Roman Catholic hierarchy assuming the titles of archbishops and bishops of certain sees, those causes of objection had fallen to the ground;

he would therefore give the measure his support, as he considered that the Established Church would be relieved from great anxiety if they had no greater danger to apprehend from the legislation of Her Majesty's Government than such as would be created by the removal of the penalties against Roman Catholics that were still to be found on the Statute-book.

Mr. B. ESCOTT considered that the entire question was, should these penalties, or should they not, be allowed to continue on their Statutes? He certainly thought it a most absurd thing to say, that they were not to be put in force, but they should be continued as the law of the land. It was said, that the abolition of these penalties would weaken the securities of the Established Church; but surely such an argumont could not be upheld at this time of day. And if these pains and penalties were not useful in strengthening the Protestant Church, what on earth were they useful for, and why should they be suffered to disgrace the Statute-book? He knew that there was a class which conscientiously maintained these restrictions—with these men it was useless to argue—but their number was comparatively small, and the great mass of public opinion in this country was in favour of their removal. The time was ripe for that which the Legislature was about to effect, and he hoped before long these last remnants of intolerance would be quite swept away.

Mr. FITZGERALD deprecated the production of acts or words of isolated individuals, either bishops or clergymen, as proofs of general religious belief. If such were to be done he could give instances in abundance of improper conduct on the part of clergymen of the Established Church. He would mention one, of a clergyman who from his pulpit in a country church told his congregation, who, by the way, were chiefly persons of the higher classes, that their salvation would not be safe unless they compelled their Roman Catholic servants to conform to the Protestant faith. And so much did the address disgust his congregation, that a relative of his (Mr. Fitzgerald), who was a colonel in the army, and several other gentlemen connected with the army, who happened to have been quartered in the neighbourhood at the time, rose and retired from the church. Yet so far were the clergyman's superiors from censuring his conduct, that he was shortly afterwards made a rector. He had no objection to name the individual. He was the rector of Macroom, a parish in the county of Cork. He begged to know from the right hon. Baronet, who seemed so opposed to the appearance in public of Catholic clergymen, or persons in religious orders, in the peculiar dress which was appointed for them, in what the difference consisted between them and a highly respected class of religionists who called themselves the Society of Friends, and who were better known by the appellation of "Quakers," whose dress was known to be, and recognised as a distinctive mark of their religion?

Mr. COWPER said, if this were a question of toleration, he should vote in favour of the Bill, because the character of this country for toleration stood higher than that of any other in Europe. If the regular clergy having peculiar religious opinions confined themselves merely to the inculcation of religion and morality, he should feel no alarm; but he believed them to be a religious body aiming at political objects. England ought not to be the only country in Europe in which the Jesuits were acknowledged. He did not say this as a Protestant; but by almost the whole Roman Catholic world the Jesuits were held to be an intriguing political body, inculcating bad morality. This had been officially declared by almost every country in Europe. The Jesuits had been the objects of thirty-nine edicts; they had been banished from France, Spain, Naples, Bohemia, and from several Italian States; and they had been censured and suppressed by the Pope himself. The opinion of other Governments was, that they were a dangerous body, having dangerous objects, and attempting to attain these objects in a dangerous manner. They were so mysterious a body that it was difficult to know what was the truth respecting them; but when Roman Catholic States, which ought to know more about the Jesuits than that House could pretend do, charged them with corrupting the youth of the country committed to their charge, the House might very well take Roman Catholic Governments as their guide. There were other religious orders against whom these accusations were not made, and who spent their lives in doing good. He wanted to see a distinction drawn between the Jesuits and the other orders that might obtain the sanction of the Government. He should vote with the right hon. Baronet the Secretary for the Home Department, in the belief that provisions had yet to be

prepared to meet the difficulties of the case.

MR. ESTCOURT said, that the clauses which had been introduced into the Roman Catholic Relief Bill for the regulation of the religious orders of Roman Catholics, had formed part of the compact entered into at the time of the passing of that measure. The Catholics had agreed to accept them, and the Protestants looked upon them as safeguards to themselves. As such they had been introduced, and many Protestants had given their support and countenance to the Relief Bill in consequence of their insertion, who otherwise would certainly not have consented to its enactment. Yet, after the lapse of seventeen years, they were called upon to repeal them. He should support the Amendment.

LORD SEYMOUR thought that too much stress had been laid upon the flimsy security which would be afforded to the Protestant Establishment by the continuance of those paltry penalties upon Roman Catholics. He trusted that his faith was grounded upon a more secure foundation, and sustained by some better security. As to the argument which had been so strongly urged against the admission of the Jesuits to public toleration, he could not see the object of restraining and compelling them to privacy. The right hon. Baronet had admitted that there was no possibility of preventing their living in the country at present; and if they could come and live in it, without the knowledge or consent of the authorities, of what use was it to keep up the semblance of prevention, and to preserve those odious clauses on the Statute-book?

MR. REDINGTON said, that hon. Gentleman had called upon the House to follow the example of Catholic States, in persecuting the Jesuits, and driving them forth from their territories; but he would suggest to them rather to follow the example of a Protestant State. He would suggest to them the example of Prussia, the king of which, Frederick the Great, had given an asylum to the Jesuits when they were driven forth by persecution from Catholic countries.

MR. COLQUHOUN said, that his hon. Friend at the opposite side of the House had alleged that the law, as relating to religious orders in these countries, was not in a satisfactory condition; but what was the account given him (Mr. Colquhoun) by a gentleman who wrote to him from Dublin lately? Why, that there were twenty convents for nuns, and ten for monks, in Dublin. He (Mr. Colquhoun) was as anxious as his hon. Friend to see a register of all persons in religious orders in this country, but he would wish to see it kept in a very different manner from that suggested by his hon. Friend. He would not have it left to the parties to register themselves, but he would suggest an efficient mode by which a correct register could be obtained. The plan had been communicated to him by a Friend, who was a member of the legal profession. He would have the registry managed by the sub-inspector of police for each district. The hon. Gentleman the Member for Kerry seemed astonished at the suggestion that the record should be kept by the sub-inspector of police. [MR. MORGAN JOHN O'CONNELL: Astonished! Oh, not at all.] Certainly there did not seem to him (Mr. Colquhoun) anything extraordinary in the suggestion; for if they wanted accurate statistical information he could not imagine any individuals better able to furnish it than officers who were paid by the Government, who had the superintendence of districts, and who were necessarily intelligent men. The hon. Member for Waterford had referred to the order of Christian Brethren, and had said that if they erroneously suspected the Jesuits of inculcating immoral principles, they ought not to entertain a similar suspicion with reference to the other regular orders of the Roman Catholic clergy. The appendix to the Parliamentary Report of 1827 contained the results of an inquiry into the character of the instruction imparted by these Christian Brethren; and it appeared that they instilled into the susceptible minds of the children of Ireland (600 of whom were educated by the Christian Brethren on the estate of the hon. Member for Waterford, and 1,000 in Cork) the strongest opposition to all connexion with England; that they raked up all those differences between the two countries which had been or ought to have been forgotten; and that they trained them to become future Repealers, and inveterate enemies of English connexion. Yet this was the order referred to by the hon. Member for Waterford as free from all suspicion, and the members of which were described by him as devoting themselves to the work of Christian instruction. With regard to the Jesuits, he would reassert the statement of the hon. Member for Hertford (Mr. Cowper), that the historical records of the

conduct of that body proved that, both upon religious and political grounds, they endangered the peace and welfare of any State in which they were admitted. He contended that the Jesuits were equally as dangerous in a free State as they were under a despotic Government; and that, if tolerated in this country, they would use their power to envenom the feelings of all those over whom they possessed any influence against our Constitution and our Protestant Church. He agreed with the hon. Member for Hertford, that this was not a question of pains and penalties. He considered they ought not to persecute men, or subject them to pains and penalties, on account of their religion. But was it a pain and penalty to maintain the Established Church of this country? According to the hon. Member for Winchester (Mr. B. Escott), if they granted an endowment to an Established Church, they inflicted pains and penalties upon all those religious bodies whom they did not endow. That was the opinion of many hon. Members of that House, and of the hon. Member for Winchester—[Mr. B. Escott: No, no!]—but it was not yet the opinion of Parliament. If the maintenance of the Established Church, enabling it to hold a position of superiority, and to perform its ceremonies with decency, were to be called a pain and penalty, the argument went to the entire extinction of the Establishment; and he had no doubt the hon. and learned Member for Winchester would go that length. He appealed to the House with confidence not to consent to such a step, even though it might be sanctioned by the learned and most authoritative opinion of the hon. Member for Winchester. He trusted that, without inflicting any pains or penalties on account of religion, they were still prepared to maintain the Established Church of this kingdom.

Mr. B. ESCOTT begged to explain. The hon. Gentleman the Member for Newcastle-under-Lyme had entirely misrepresented his words. What he had said, he maintained—that penalties of 100*l.* and upwards against persons professing a particular form of religion were penalties imposed for the purpose of upholding the Established Church.

Mr. WYSE begged also to be permitted to explain. What he had stated respecting the Christian Brothers he had stated from immediate and accurate personal knowledge and experience. He did not, like the hon. Member for Newcastle-under-Lyme, speak from recollections of many years past. That hon. Member had spoken of transactions of the year 1827, of which he had exhibited a want of recollection. The books used in the schools of the Christian Brothers were models of propriety. They were the same as those used in Protestant and other Roman Catholic schools in Ireland. The Christian Brothers instilled into the minds of the youth under their care a love for religion and morality. The lessons they uniformly inculcated were those of Christian charity and peace—lessons which he would be glad if the hon. Member for Newcastle-under-Lyme would learn and imitate.

Mr. LABOUCHERE said, that the question, in the form which it had assumed, was tantamount to whether or not they should proceed with the Bill at all; and whether or not the matter was one which deserved consideration at the present time. He thought that all parties seemed to admit the affirmative of the latter question. Gentlemen at his side of the House affirmed it boldly; and hon. Members at the other appeared to admit it likewise. The hon. Member for Newcastle-under-Lyme admitted that the present state of the law as regarded the religious orders of Roman Catholics was most unsatisfactory—that there was a law upon the Statute-book which was daily violated, and the provisions of which no Government would dare to put in execution. On the other hand, it was urged that those laws were framed in a spirit quite inconsistent with the tolerant principle of the present time. He felt sure that such was the extent of that tolerant principle, that if, for example, a distinguished foreign Jesuit or other distinguished person, a member of a religious order, were to come over to England in ignorance of the law, and that law being put in force, were banished from the country, the hon. Baronet the Member for the University of Oxford would be the very first person to call for its repeal. The whole question undoubtedly deserved mature consideration. It should be considered carefully and calmly. He denied that odious and persecuting enactments had any thing to do with the support of the Church of England: one hon. Member would not persecute any man for his religious opinions; but he had one little exception—he only begged to be allowed to persecute the Jesuits. Let him only persecute the Jesuits, and he would tolerate everybody else. That outcry against the Jesuits was all a delusion.

They had heard of their aiming at the acquirement of political power when power was wielded by those who regulated the consciences of princes and potentates. But those times had passed away. The powers which in these days regulated the public mind and directed it were the free exercise of opinion, a free press, and freedom of debate. Such were the engines by which the public mind was now to be wielded. The Jesuits had shown themselves eminently successful as educators of youth, and no ground existed any longer for the ancient prejudices against them. There was but one good and consistent principle to be observed, and that was to give the fullest and freest toleration to all men, so long as they obeyed the law, without inquiring what religion they professed, or observing what sort of dress they were.

LORD J. MANNERS trusted the House would allow him to make a few observations upon the present subject. He would first direct their attention to the concluding portion of the speech of the hon. Member for Newcastle-under-Lyme. That hon. Gentleman, in his anxiety to defend every interest of the Anglican Church, told the House that this Bill was in violation of its rights, and likely to deprive that Church of its proper authority. Now, he must be permitted to differ from the hon. Gentleman. The hon. Member (Mr. Colquhoun) seemed to think that unless they prevented Roman Catholic ecclesiastics appearing in their dresses, they would endanger the safety of the Anglican Church. But he would refer to one who was a great maintainer of the English Church, Archbishop Laud. There were Jesuits in the kingdom in that day; but instead of pains and penalties, Archbishop Laud did not hesitate to meet them in argument, even in the presence of the King; and the result of those arguments had come down to us with as entire a vindication of the English Church as our English literature possessed. The right hon. Gentleman (Sir J. Graham), in arguing his case, had said that the penalty it was proposed to repeal, was of immense importance to the English Church. Now, he would put this argument to a practical test. Unless he was much mistaken, during the existence of the present Government, an application was made from certain people in Dublin, or some other part of Ireland, calling upon the Ministry to put this clause in the Roman Catholic Bill in force against Archbishop M'Hale. They distinctly refused, however, to put it in operation. He now came to what he might be said to be the main object of the Bill—the removal of penalties on the Jesuits and other religious orders. The hon. Member for Hertford had stated that he would be happy to support the repeal of these penalties on all orders excepting the order of Jesuits; and the hon. Gentleman used very strong language against the Jesuits. But he would assert, without fear of contradiction, that in England any fears arising from the power of the Jesuits were totally groundless. It was notorious that they confined themselves to their religious duties without interfering at all with politics. All the Gentlemen who opposed the Bill admitted that the laws were extremely defective. The hon. Member for Newcastle had proposed some peculiar remedy of his own; but he must say it appeared to him a most extraordinary mode of arguing the case, to admit that, on the principle and the provisions of the Bill, some legislation was necessary, and then for the hon. Gentleman to say that he should vote against all legislation. He knew, if they were to yield to such an argument, every year the stale argument would be adduced with equal justice and truth. He really saw nothing in the circumstances of the House, or in the circumstances of the country, to prevent their going now into the consideration of the provisions of this Bill. If its principle were sound and just, then let them go into Committee, and discuss the various clauses.

MR. NEWDEGATE said, that the opponents of this Bill were most unjustly accused of intolerance towards the Roman Catholics generally, because they opposed the farther legalization of the order of the Jesuits. He did not oppose the removal of such antiquated statutes as were no longer applicable; but he did oppose the removal of those clauses of the Bill of 1829, restricting the institution of the Jesuits in this country; for all history, aye, that of the present day, proved them a most dangerous society. But the advocates of the Jesuits urged, that the order had divested itself of its *quondam* dangerous character. If that was true, why did they refuse that inquiry, which must vindicate the order, before asking for legislation in their behalf? But they well knew the Jesuits would not submit to inquiry; and then they, the advocates of the Jesuits, having refused inquiry—the only means of procuring specific information—dilate forsooth upon the ignorance of their opponents. The right hon. Gentleman the Member for

Taunton had admitted that there were strong proofs of the dangerous interference of the Jesuits in former times with politics and religion, and he did not satisfy him that the interference had ceased. The promoters of this Bill had, indeed, a great advantage, as they were the advocates of a secret society; but, he had heard no argument to prove that the Jesuits, in their constitution, possessed not the same characteristics now as those which had ever marked them. Was it at all probable their machinations would be less dangerous in this country than they were abroad, when it was considered that here they were not under the eye of a detective police, nor the authority of a despotic Government? He thought the connexion between the Roman Catholic Church and the Jesuits to be a great misfortune in every country. Liberty had never prospered where the Jesuits had risen to power. It was, therefore, because he felt sincerely anxious that full tolerance should be extended to all Roman Catholics in this country, that he would, if possible, disunite them from that order—which was the very type and impersonation of that intriguing spirit in domestic and political matters, that had been for years the bane and the stumbling-block of the Roman Catholic Church. He was opposed to the Bill, on account of the countenance it gave to the Order of the Jesuits, and he should support the Motion of the hon. Member for Oxford.

Mr. WATSON briefly replied.

The Committee divided on the Question that the Chairman do now leave the Chair—Ayes 120; Noes 80: Majority 40.

List of the Ayes.

Acland, Sir T. D.
A'Court, Capt.
Alexander, N.
Allix, J. P.
Arbuthnot, hon. H.
Arkwright G.
Bagge, W.
Bailey, J.
Baring, rt. hon. W. B.
Beckett, W.
Beresford, Major
Bernard, Visct.
Blackburne, J. I.
Boldero, H. G.
Bowles, Adm.
Boyd, J.
Bramston, T. W.
Broadley, H.
Bruges, W. H. L.
Buck, L. W.
Cardwell, E,
Carnegie, hon. Capt.
Chandos, Marq. of
Chichester, Lord J. L.
Churchill, Lord A. S.
Clayton, R. R.
Clerk, rt. hon. Sir G.
Colquhoun, J. C.
Corry, rt. hon. H.
Courtenay, Lord
Cripps, W.
Davies, D. A. S.
Deedes, W.
Douglas, Sir H.
Douglas, Sir C. E.
Duckworth, Sir J. T. B.
Duncombe, hon. O.
Du Pre, C. G.
Estcourt, T. G. B.
Farnham, E. B.
Feilden, W.
Flower, Sir J.
Forbes, W.
Fox, S. L.
Frewen, C. H.
Fuller, A. E.
Gordon, hon. Capt.
Goring, C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Grogan, E.
Halsey, T. P.
Hamilton, G. A.
Hamilton, W. J.
Harris, hon. Capt.
Henley, J. W.
Herbert, rt. hon. S.
Hervey, Lord A.
Hodgson, R.
Holmes, hon. W. A'C.
Hornby, J.
Hotham, Lord
Hudson, G.
Hughes, W. B.
Jermyn, Earl
Johnstone, H.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kemble, H.
Kirk, P.
Lawson, A.
Lefroy, A.
Legh, G. C.
Lennox, Lord G. H. G.
Lincoln, Earl of
Lindsay, hon. Capt.
Lockhart, W.
Long, W.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, T.
M'Neill, D.
Meynell, Capt.
Morgan, O.
Mundy, E. M.
Neeld, J.
Neville, R.
Newdegate, C. N.
Nicholl, rt. hon. J.
O'Brien, A. S.
Packe, C. W.
Peel, rt. hon. Sir R.
Peel, J.
Plumptre, J. P.
Powell, Col.
Rashleigh, W.
Reid, Sir J. R.
Rolleston, Col.
Round, J.
Seymer, H. K.
Sheppard, T.
Sibthorp, Col.
Smith, A.
Somerset, Lord G.
Spooner, R.
Stuart, J.
Sutton, hon. H. M.
Thesiger, Sir F.
Tollemache, J.
Tower, C.
Trench, Sir F. W.
Trevor, hon. G. R.
Trotter, J.
Verner, Col.
Vesey, hon. T.
Vivian, J. E.
Walpole, S. H.
Wellesley, Lord C.
Wood, Col.

TELLERS.

Young, J.
Inglis, Sir R. H.

List of the Noes.

Aldam, W.
Anson, hon. Col.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Baine, W.
Bellew, R. M.
Bentinck, Lord G.
Blake, M. J.
Borthwick, P.
Bouverie, hon. E. P.
Bowring, Dr.
Bridgeman, H.
Brotherton, J,
Browne, hon. W.
Callaghan, D.
Carew, hon. R. S.
Christie, W. D.
Clive, Visct.
Collett, J.
Corbally, M. E.
Crawford, W. S.
Dawson, hon. T. V.
Dennistoun, J.
Dickinson, F. H.
Divett, E.
Dodd, G.
Duncan, G.
Dundas, D.
Elphinstone, Sir H.
Escott, B.
Esmonde, Sir T.
Evans, W.
Evans, Sir D. L.
Fitzgerald, R. A.
Forster, M.
Hawes, B.
Heathcoat, J.
Hindley, C.
Howard, hon. C. W. G.
Howard, P. H.
Hume, J.
Jervis, J.
Labouchere, rt. hon. H.
Langston, J. H.
M'Carthy, A.
M'Donnell, J. M.
Maitland, T.
Manners, Lord J.
Marjoribanks, S.
Marsland, H.
Mitcalfe, H.
Morpeth, Visct.
Mostyn, hn. E. M. L.
Muntz, G. F.
Napier, Sir C.
O'Brien, W. S.
O'Connell, M. J.
Ogle, S. C. H.
Pechell, Capt.
Pigot, rt. hon. D.
Powell, C.
Price, Sir R.
Redington, T. N.

Rich, H.	Strutt, E.
Roebuck, J. A.	Thornely, T.
Romilly, J.	Trelawny, J. S.
Ross, D. R.	Villiers, hon. C.
Scott, R.	Wall, C. B.
Seymour, Lord	Wawn, J. T.
Sheridan, R. B.	Yorke, H. R.
Somerville, Sir W. M.	
Stansfield, W. R. C.	TELLERS.
Stuart, W. V.	Watson, W. H.
Strickland, Sir G.	Wyse, T.

[The names and the numbers do not coincide, the names of the Noes amounting to 81, the number to only 80; the names of the Ayes to 119, the number to 120. The discrepancy is in the Votes of the House, of which our report is a transcript. By an erratum Viscount Adare was directed to be omitted from the Ayes, and Mr. Geo. Dodd to be added to the Noes. We have not the means of correcting the error. We presume the Noes should have been 81, the Ayes 119, and the Majority 39.]

The House resumed, and adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, June 25, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Waste Lands (Australia).
2ª. Vexatious Actions, Protection against; County Works Presentments (Ireland).
Reported. Corresponding Societies and Lecture Rooms.
3ª. and passed. Corn Importation; Customs Duties.

PETITIONS PRESENTED. By the Bishop of Hereford, from Hereford, and several other places, against the Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—By Lord Kinnaird, from Lewisham, stating that the Provisions of the Metropolitan Buildings Act are productive of Litigation, and operate by Vexatious Restrictions as a Barrier to useful and benevolent Enterprize in Building, and complaining of the excessive Rate of Fees authorized by the Act.—From Guardians of the Hollingborn and Sevenoaks Unions, for the Adoption of a Measure making the Landlords of Cottages where the Rents are under £6 liable to the Poor Rates.

PETITION FOR BETTER DRAINAGE AND VENTILATION, &c.

LORD KINNAIRD presented a petition from the Committee of the Working Classes Association, praying the House to pass some legislative measure for the better drainage and ventilation of the houses of the poor, and for furnishing them with a more ample supply of pure water. His Lordship, at the same time, wished to know from the Chief Commissioner of Woods and Forests whether Government had taken or intended to take any steps on this subject with reference to the metropolis, and especially to the district of Bethnal-green? He also wished to know what steps had been adopted by Government with reference to the Private Water Bills which had come before the House this Session?

Lord PORTMAN said, that before the noble Lord (Viscount Canning) replied to the questions just put, he (Lord Portman) begged to put another question, which he might answer at the same time. It would be in the recollection of the House that an Act had recently been passed called the Metropolitan Buildings Act. Their Lordships probably would also recollect that it was passed in a most extraordinary manner through the House. It was a Bill containing nearly 120 clauses, and it had been read a second time with only two days intervening between that and its first reading, and it had been passed within nine days from the time it was introduced. Well, this Bill, so far from increasing the public safety against fire, or improving the health of the community, as it professed to do, had proved exceedingly inconvenient and vexatious. So multifarious and complicated were its provisions, that it had been thought necessary by a gentleman named Lawes to publish a bulky volume to instruct the people as to the nature of its provisions, many of which were indeed of a monstrous and impracticable kind. His Lordship here quoted several passages from Mr. Lawes's book, which he described as an able work, well worthy the attention of all parties interested in the buildings of the metropolis; and mentioned various cases which had come under his knowledge of a vexatious and annoying character. He hoped the noble Lord would be able to tell the House that there was a Bill in preparation to relieve the metropolis from the inconvenience he had mentioned.

VISCOUNT CANNING was understood to say, in reply to the question first put to him by one of the noble Lords opposite (Lord Kinnaird), that the noble Lord must have misapprehended the prayer of the petition which he had presented, inasmuch as it might be difficult to construct any measure more calculated to meet the evils of a bad system of drainage and sewerage than the Act in question. The Government had at present no intention of introducing any measure for the improvement of the supply of water in the metropolitan districts, for their first efforts had been directed with a view, in this respect, to the improvement of the manufacturing towns and rural districts. Last year a Bill had been brought in founded on the report of a Commission

issued for the purpose, two years ago, called the Health of Towns Bill, which had been laid on the Table of the House. It was considered, however, advisable that this Bill should circulate through the country during the recess; and it had been since consolidated and amended, and was now ready for the consideration of Parliament. With respect to the better supply of water, the Government had suggested some clauses for that purpose, which had been introduced, he believed, into all the private Bills of pipe water companies, to secure a larger and cheaper supply of good water to the poorer classes, which had been lately passed. He admitted, in reply to the noble Lord who had last spoken, that the Metropolitan Buildings Act required amendment. But, with respect to certain complaints stated against the new Act, he could say that the public had been prepared fully for the notices required by the new Act, by the provisions of the old Act. Within the last few days, the fees had been very much reduced, especially the larger fees, which had been reduced to the extent of seventy-five per cent. The Government meant to bring into the other House four Bills for the separate regulation of the objects of the present Act, and he could say that two of those Bills were in a state of great forwardness.

CORN IMPORTATION BILL.

The EARL of RIPON moved that this Bill be read a Third Time.

The EARL of WICKLOW said, as they were now at the last stage of these proceedings, and were about finally to conclude this great change in the commercial policy of this country, he begged to direct the attention of Government and their Lordships generally to two points on which, it appeared to him, that no information had been afforded to their Lordships in the course of these proceedings, and on which he thought that both to the country and their Lordships information was due from the Government. The first of these respected the promises made by the First Minister of the Crown when he introduced his resolutions to confer certain equivalents or compensations, which, it was stated, should accompany this measure. They had now reached the last stage of it, and yet up to the present time he had not been able to ascertain that in either House of Parliament anything like a proposal as to any of these matters had been made. It appeared that this point was not considered by the Government of small importance at the time of the measure being introduced, for Ministers then represented that the equivalent to be proposed would in some degree compensate the landed interest for the loss which they would sustain. How was it, then, that they had now come to this period of the Session, and that no notice had been taken of the subject in either House of Parliament? Was it the intention of Ministers that the Session should close without any proposal of compensation being brought forward? One such compensation had been promised to the country which which he was connected, which, though not equivalent to the landed gentry or tenantry for the injury to their interests which would be inflicted by the Corn Bill, was in itself of some little importance; and it ought to have been brought forward by the Government independently altogether of this measure, for it was one of the Bills strongly recommended to the Government by the Commission of which Lord Devon was at the head. He referred to the proposition by which the whole expense of the constabulary force of that country was to be thrown on the Consolidated Fund, and the various counties relieved from any portion of the expense. Such a step was proposed by Lord Devon's Commission, not with reference to such a measure as the present, but as a matter of simple justice. Upon that subject, however, they had heard no proposition of Her Majesty's Government made to either House of Parliament. He therefore thought, before they agreed to the third reading of this Bill, it was incumbent on some Member of the Government to explain to their Lordships what was their intention with reference to any measure to be brought forward. He now came to the second point, which appeared to him infinitely more important. Allusion had been occasionally made to the subject in that House, especially by his noble Friend opposite (Lord Monteagle), but no explanation had been afforded by Her Majesty's Government. When the right hon. Baronet at the head of the Government brought forward in the House of Commons his proposition for an income tax, he obtained the consent of the House to the tax for three years, on the especial ground that he was then effecting great financial changes and extensive reductions in the customs, which would inevitably lessen the amount of the customs duties, so as to require for a certain short period a means of taxation in

lieu of them. But the right hon. Baronet held out strong hopes to Parliament, that by the end of three years those reductions would so much increase the produce of the customs duties, as to render it unnecessary to renew the income tax. It was solely on this ground that the right hon. Baronet had obtained a three years' income tax, for he believed that no other Minister who had governed this country for many years would have obtained it on any grounds whatsoever; but the great confidence reposed in the right hon. Baronet as a financial Minister by Parliament and the country, induced them to waive the strong objection which prevailed against an income tax in time of peace, and so far to confide in his promises that the operation of the reductions would be successful, as to concede the imposition of the tax for that period. The right hon. Baronet's promises, they knew, had remained unfulfilled; but Parliament was induced to extend the period for which the tax had been granted, from a belief that by the reductions in the customs duties the revenue of the country would be so increased as to make the continuance of the tax unnecessary. He believed this would have been the case if things had been allowed to go on as they were then doing, for the revenue was improving, and commerce in every department was flourishing. But most unfortunately, in the present Session, partly owing to the very increase which had been thus predicted, the right hon. Gentleman and his Government were determined by a sense of duty not to remain content with the alterations they had made, but to make those other alterations which their Lordships had been considering during the last three weeks. His noble Friend at the head of the Board of Trade (the Earl of Dalhousie), by the able manner in which he had conducted these proceedings—and he gave his noble Friend credit for having done so in a most masterly manner—had shown himself an able statesman, a great debater, and capable of conducting affairs in any department which might be entrusted to him; but his noble Friend had never ventured to hold out to their Lordships that the result of the measures he proposed would ever raise the revenue beyond the point which it had attained previous to the reductions, for he had swept away, in a great measure, the income derived from the duties which they affected. His noble Friend only proposed his reductions in the hope that in the course of years the buoyancy of the public resources, and the augmentation of trade, might raise the revenue, not up to the amount anticipated by Sir R. Peel when he first proposed the income tax; but up to the point at which the revenue stood at the present time. Under these circumstances, Government must have seen the position in which they placed themselves with regard to the future taxation of the country. They had now the income tax for three years. Their Lordships would, however, observe that the financial Minister, when he brought forward the budget, had held out little or no hope of a surplus—the whole surplus, including China money, not being calculated at more than 70,000*l*. Had they not then a right to demand that Her Majesty's Ministers should state their expectations with respect to the future revenue of the country? Was it not perfectly clear, on their own showing, that the customs duties would not rise to the point at which they had formerly stood? Had not their Lordships a right to know if it was the intention of Government to propose to Parliament the renewal of the income tax? If it was not their intention, they had a right to know to what sources of revenue Ministers intended to look as a compensation for the taxes they were now abolishing. If it was their intention, they were bound to announce it fairly. A new Parliament would be elected before the expiration of the present tax; and if Ministers intended to propose a renewal of the tax, it must be to a new Parliament. He asked them, did they believe that a new Parliament would ever sanction that tax as a permanent tax? If it was not their intention to propose it, they must have some other measure to propose which they ought to let the House know. But did they believe that any Parliament that would ever meet in this country would sanction the imposition of the income tax as a permanent tax? He believed the contrary. He believed that no Parliament would ever sanction that direct mode of taxation as a permanency. See to what this would drive them. If they determined to adopt the direct mode of taxation, and to abolish that indirect mode which had hitherto been looked upon as the most proper for a commercial, or indeed for any country, then it became absolutely necessary that the whole or almost the whole of the taxation of the country should be derived from that source. It was impossible that another Parliament, if it sanctioned that measure, would ever allow the malt tax to continue, or that tax

which they had been discussing lately, the duty on hops. It was impossible that Government, in considering the measures they had brought forward, should not have fully and distinctly deliberated on these matters. Was it fair or just that they should now conclude these measures without any information whatever being given respecting the points to which he had called their attention? Let him not be told that the financial Ministers in the other House were the proper persons to answer those questions. There was his noble Friend at the head of the Board of Control (the Earl of Ripon), who had been Chancellor of the Exchequer, and without whose full sanction no measure of this kind could be proposed to Parliament. His noble Friend at the head of the Board of Trade was also perfectly capable of giving an answer; and if they declined, on this last stage of the measure, to give an answer, the country would draw its own conclusions from their silence. Let it not be said that because Ministers were going to resign, they would throw the affairs of the country in an embarrassed state into other hands. Let it not be said that, because they had received the affairs of the country in an embarrassed state from their predecessors, they would retaliate by leaving them in a similar condition. Such an excuse would not be received by the country; it would be tampering with public feeling to offer it; but he knew that his noble Friends were men of too high honour to be influenced by such considerations. He said that, before the measure passed, Ministers were bound to give their Lordships the information upon these subjects which they must possess; and he called on his noble Friends to give him an answer on the two points he had stated, which he considered of vast importance to the country.

The EARL of RIPON said, that as he had no right to object to the questions which had been put to him by the noble Earl, and as he had no fault to find with the manner in which they had been put, he would endeavour to give them an answer. The first question was, whether Her Majesty's Government intended to carry into effect those measures which were stated at the commencement of the present Session as intended to accompany the alteration which they proposed to make in the Corn Laws, and which were considered likely to be beneficial to the agricultural interest. He was not aware that they were to be considered as equivalents or compensations; they were considered measures right in themselves, and as far as they went tending to do that which it was desirable to effect—to diminish the cost of production to those whose capital was employed. No doubt Her Majesty's Government felt now as they did then, that what they undertook to propose to Parliament with that object in view, they were bound to adhere to; and although it might be true that those measures had not yet passed in the shape of law, he believed some of them did not positively require an Act of Parliament, except in so far as the sum to be raised from the Consolidated Fund, instead of in any other way, was concerned. There was, however, another measure of very considerable importance, which stood much on the same footing as those to which he had referred—he alluded to the measure relative to the removal of paupers. That measure was, no doubt, quite independent of the question of the Corn Law, and would have been a proper measure to adopt whether the Corn Laws were altered or not. A Bill had been brought into the other House of Parliament for carrying that measure into effect; and he could not answer for the circumstances which had rendered it impossible to proceed with that Bill so as to bring it into their Lordships' House; and when his noble Friend complained that the measures had not been brought forward in their Lordships' House, he must understand that they were of such a nature that their Lordships could not originate them. The noble Earl having asked those questions, proceeded to inquire what it was the intention of Her Majesty's Government to do as to the continuation of the property tax. Now, under all circumstances, he apprehended that no Government could undertake to give answers or pledge themselves to reply to such questions as these. The property tax had been originally brought in for three years; it had been since renewed, and he thought it would be exceedingly unwise to give any pledge that it would not again be renewed. Looking on the question in that light, he must therefore decline answering it. But he would make one or two remarks on the observations of the noble Earl as to the actual condition of the revenue with respect to the effect of the reductions which had been made within the last four years. He thought his noble Friend could hardly have attended to a document which had been laid on the Table, which would have explained to him the ground on which the Government trusted that the reductions

made in the customs and excise were not only not likely to be attended with the full extent of the loss which the numerical amount of the reduction would have led them to expect, but that in point of fact they were entitled to count upon a considerable increase, he would not say naturally arising out of those reductions, but in connexion with them; and he trusted to be able to satisfy their Lordships that that was the case. It appeared that in the year 1842 the amount of revenue derived from the customs was 19,661,000*l.* In the course of that year duties were reduced to the amount of 1,338,000*l.*, which of course, unless there had been an increase of consumption, would have reduced the customs duties excepted in the following year by that sum of 1,338,000*l.*, so that if the customs in 1843 had amounted to 18,323,000*l.*, the revenue would have undergone the full loss occasioned by that reduction. But what was the fact? Instead of the reduction bringing the customs duties down to 18,323,000*l.*, the duties for that year produced no less than 20,275,000*l.* being an increase of upwards of 600,000*l.* beyond the positive amount of 1842, although the duties taken off in that year amounted to 1,338,000*l.* In the year 1843, the customs duties were still further diminished, and the duties reduced amounted to 171,000*l.* But did the revenue suffer to that extent? Not at all. The amount of customs duties, in 1844, was 21,460,000*l.*, being nearly 1,800,000*l.* more than 1842, notwithstanding the reduction of duties to the amount of 1,500,000*l.* In the year 1844 the duties had been reduced still further, to the extent of 286,000*l.*: the products of those duties in 1845 certainly had not amounted to as much as in the two preceding years; but in 1845, their Lordships would recollect that a great reduction had taken place, to the extent of 2,418,000*l.* in the customs duties; and although that reduction did not take place until late in the year, a great portion of the loss would take place in that year itself. Notwithstanding all this, the amount of duties received in the year 1845 had been 19,829,000*l.*, exceeding the absolute amount even in 1842, by about 200,000*l.*, although in the course of the four preceding years duties had been remitted to the amount of upwards of 4,000,000*l.* If then there had been no increase in the receipts connected with the reduction of duty, the sum which stood at 19,691,000*l.* in 1842, should have been only 15,661,000*l.* in 1845; whereas in point of fact the actual receipts in 1845 amounted to 19,829,000*l.* Had not the Government, then, with those facts before them, a right to anticipate that there would not be a permanent reduction in the customs to the amount of the duty which would be removed? His noble Friend would observe that the increase had not been confined to any particular period, but had been spread over the whole of the years of diminished duties. In the excise, to which the noble Earl had alluded, reductions had also taken place. In 1842 the excise had produced 12,517,000*l.*, and in 1843 had amounted to 12,879,000. In 1844 a reduction had been made to the extent of 70,000*l.*, and in 1845 a further reduction of 913,000*l.* had taken place. But, notwithstanding these reductions, the excise in the subsequent year amounted to 13,585,000*l.* He did not apprehend that the whole loss of those reductions would take place in the course of the year; but whether it did or did not the excise revenue of 1845 exceeded that of 1844; the excise of 1844 exceeded that of 1843, the receipts of that year being also larger than 1842. The sum total of the excise and customs in those four years had been 32,178,000*l.* in 1842; 33,152,000*l.* in 1843; 34,714,000*l.* in 1844; and 33,450,000*l.* in 1845; while the total amount of duties removed had amounted to 5,197,000*l.*, notwithstanding which the receipts in 1845 had exceeded those of 1842 by upwards of 1,000,000*l.* He thought the experience of those four years, therefore, tended to show there were rational grounds for assuming that the total amount of the reduction, great as it might be, would not cause a reduction in the amount of the revenue. That was the basis on which the Government proceeded, and he thought their views had been fully borne out by the fact. They flattered themselves that in a limited course of years there would be made up in the increased receipts from these sources an equivalent to that which they had lost. It was impossible to suppose that the equivalent would be produced immediately; and it was necessary to provide some means by which the loss would be made up in the intermediate time, and that loss was made up by the income tax, to which, no doubt, there were very serious and grave objections, not only on account of the nature of the tax itself, but partly also from its having been introduced in a time of peace, and

not reserved as a great resource in time of war. But it was necessary to provide that temporary means of making up a certain deficiency, which they had every reason to think could be made up as years went on; and they hoped to be able in future years to dispense with the renewal of that tax. He must decline expressing any opinion or giving any pledge on that subject. Of this he was quite certain, that Parliament never would be unwilling or afraid to take any measures that might be deemed necessary for preserving the revenue of the country in such a state as to meet all demands. Those demands were very great, and it was deeply to be lamented that there was so little reason for holding out the chance of the expenses of the country being diminished; but it was a satisfaction to think that in regard of one source of expense to this country, there had been a considerable diminution, and that was in the charge for the public debt, which had been reduced by the amount of 1,000,000*l.*; and which, considering the state of our finances, was a circumstance of material importance. He had thus endeavoured to answer all the questions which had been put to him. He had brought no papers with him, not having expected the discussion to take such a turn; but, recollecting there was a document on the Table from which he could satisfy their Lordships, he had availed himself of the information it contained to do so.

Lord FEVERSHAM denied the assertion that the tenant-farmers were in favour of those new measures. That assertion had been made, and had been several times repeated, but nothing had been shown to prove or corroborate it. What had they done? They had held meetings all over the country, at which they had passed resolutions that indicated beyond the possibility of doubt what were the real feelings of their body. The noble Lord then read extracts from resolutions passed at protectionist meetings in Doncaster, in the North Riding of York, in Lincoln, at Spalding, and in Dorsetshire, which were strongly condemnatory of free trade in corn. These were the opinions of the tenant-farmers, who were said to be favourable to the Bill. But, said the supporters of this measure, they have nothing to fear; the land which will be thrown out of cultivation by the operation of the Bill, must be of the worst and poorest soil. Why, it was that poor soil which required the greatest number of labourers for its tillage. So that the evil of diminished employment would be increased instead of lessened. No one knew what the price of corn would be reduced to. When a Member of the Government in that House had been asked what the probable price of corn would be, he replied that he would not hazard any prediction on the subject. That might be satisfactory to the noble Lord, but he doubted if it would satisfy the House. Indeed, it did not appear that Government had taken any pains to calculate the price of corn under the new law. He had lately spoken to an intelligent American gentleman, who assured him that corn could be exported from America under 30*s.* a quarter. He could not at all concur with those who thought this measure would be so conducive to the improvement of the labouring classes. A much more useful measure, in his opinion, would be the Ten Hours Bill, which would be a benefit to them in every way. That Bill had been introduced into the other House of Parliament, where it had been rejected by a very small majority, aided by the Government; but he believed the time was not very far distant when it would receive the sanction of that House. When it should come up to their Lordships, as it was but a measure of policy and justice, he hoped they would give it their favourable consideration. As to the Bill before them, he regretted they had passed it, as in effect they had done, and more particularly that the majority of the right reverend Prelates had supported it, because he believed it had been very greatly through their influence and votes that the measure had been successful. Their Lordships' House and the agriculturists had always supported the rights and privileges of the Established Church, of the right reverend Prelates, and of the rural Clergy, and he therefore regretted it. This Bill was a premium to agitation. It had been brought forward by the Ministers of the Crown, but they could not be said to be its originators or promoters. Those who really originated and promoted it were the manufacturers and masters of Stockport and Manchester. It was nothing but concession to intimidation and agitation to pass this Bill. He looked upon it as a downward movement, calculated not to uphold but to overthrow the Constitution. It was impossible, he maintained, to say which of the great institutions of the country would not be subject to attack after their Lordships had given their consent

to a Bill like the present, which had been commenced by a great agitation; which had been carried by a betrayal of great public trusts; and which would be regarded as a concession to that agitation, and a record of that betrayal. In conclusion, he begged leave to enter his decided protest against the third reading of the Bill.

The DUKE of CLEVELAND said, as this was probably the last opportunity that would present itself to speak on this Bill, he would rise not to create any further delay, but to protest solemnly against the policy of the measure. After having listened attentively to all the arguments and evidence urged in favour of the measure, he remained still of the same opinion, and he was still as strong an opposer of the Bill as ever he had been. Scarcely had any measure ever passed the House on which so many of their Lordships had given their opinions *vivâ voce*, and the occasion would, on that account, be memorable in history; but still more memorable would it be for the sacrifice of private opinion to party interest. The House was constituted by three distinct parties, two of which had been hitherto the rival parties of the State; but one of these opposed parties having sacrificed their real opinions to party interests and party views, had coalesced, and had overcome any opposition which could be made to them by those who retained their old opinions and acted up to their old principles. How many noble Lords would say the Bill was in conformity with their preconceived opinions? Many noble Lords were advocates of a fixed duty, and, notwithstanding they still maintained this opinion, yet, seeing their party on the threshold of office, they gave up their convictions, and agreed to support the measure as it was. Having referred to the manner in which the question had been treated by one side of the House, he would refer to the way in which noble Lords had dealt with it on the Ministerial side of the House. Many noble Lords, who had changed their votes but had not changed their opinions, had taken the more prudent course of recording a silent vote against their opinions. Other noble Lords had completely changed their opinions; but the main pressure of the debate had fallen on two noble Lords connected with the Government, one of whom had not always been exactly of the same way of thinking on this question. He would now say a few words about a third party in that House, to which he had the honour to avow his adherence. Though their Lordships had decided against them by a large majority, he hoped he might claim credit for his party for consistency, for independence of conduct, for fairness in their actions, and honesty in their intentions. He had taken the liberty at an early period of the discussion of appealing to the Episcopal Bench as the representatives of the parochial clergy. That appeal was responded to by a right reverend Prelate, who said the parochial clergy were not justified in opposing this Bill: first, because they were a small body; and, next, because they had taken no part in the agitation against it — extraordinary reasons he must take leave to say, and the latter of them not doing much credit to the right rev. Prelate's charity. If the Bench of Bishops had voted with his party, they should have had a majority of those present against the Bill. The number of proxies was large—thirty-five—and a majority were in favour of the Bill. It was not his intention to deprecate the system of proxies. It was founded on long and established usage. That was the only ground of its justification; for voting in any society by proxies was not in accordance with public taste at present. If they meant to preserve this privilege, they should take care not to abuse it. It was true that noble Lords resident in this country might be as capable of forming a judgment on a public measure if they resided 200 miles from town, as if they attended in that House; but that the proxies of Lords in different parts of Europe, who never heard of this measure, or never imagined that such a measure would be brought forward, should be resorted to, he thought a most extraordinary proceeding. He should give one instance. There was the Marquess of Tweeddale, Governor of Madras, who had been absent for four years from this country, and who was so engaged by the late war in India, that he doubted whether he ever heard of this measure. The lamentable part of this measure was, the loss of confidence which it inspired in the humble followers of leading men like himself. His political life had not been a short one. For half of it he attached himself to the Whig party; but in 1833, he found himself unable, on the Reform Bill, to go as far as the Government was inclined to go. Far be it from him to say there was any breach of faith on that occasion by the Whigs. From that time to the present he

had supported Sir Robert Peel, whom he looked on as one of the greatest men this country had produced, whose talents he admired, and in whom he had placed implicit confidence. It could be easily supposed what his feelings now were at finding himself deserted and standing aloof, as it were, from both the parties. But he had some consolation in the fact that there was still left a leader whom he could follow, and that a man of no mean talents —he meant the noble Lord near him (Lord Stanley). He had no hesitation in saying that he should for the future look up to that noble Lord not only as his guide but his polar star. He had no favour to expect from him, nor had he received any; but he had the greatest possible admiration for his talents, and for what he considered much more essential to a statesman—honesty in his professions. He had sat a long time near his noble Friend in the other House, and he had always heard him speak without hesitation or equivocation; and he had never seen him look for a loop-hole through which he might one day escape. He protested against the policy and principle of the measure, because it was uncalled for by the circumstances of the case, and because it was a thorough breach of faith on the part of the Government.

The EARL of DALHOUSIE should not have risen on the present occasion had it not been for the observations made by the noble Duke who had just sat down in reference to proxies; and if those observations had been merely of a general character, he should not under those circumstances have felt called on to notice them. But the noble Duke had mentioned by name a noble and gallant relative of his (the Earl of Dalhousie's), the Marquess of Tweeddale, who was now serving abroad; and as his proxy had been intrusted to him, he hoped their Lordships would allow him to say a few words in reference to what had fallen from the noble Duke. He widely differed from the noble Duke in respect to the view he took of the principle of the vote by proxy. Whether that practice was right or wrong, as long as it existed he contended that the proxy was given on the principle of the entire delegation of the mind of the person giving his proxy. That was the principle of the vote by proxy; and as long as that practice existed, it mattered not whether the individual whose proxy was made use of was in India, or dining in Belgrave-square. Having stated thus much on the general question, he would now briefly advert to the particular case referred to by the noble Duke. The noble Duke had stated that it was utterly impossible that the noble and gallant Lord whose name had been mentioned (the Marquess of Tweeddale), being at the distance he was from England, should be aware of what was going on in this country. The noble Duke seemed to forget that this question respecting the Corn Laws had been substantially before the country for no less a period than seven months; and the period of time necessary for communications to take place with Madras did not exceed six weeks. Now, during the whole of these discussions, he had been in possession of the sentiments of his noble and gallant relative; and he could assure their Lordships that it was his firm conviction that his noble and gallant relative, had he been present, would have voted for the second reading of this Bill. He was bound also to state, that he believed his noble and gallant relative would, if he had been present, have voted for the Amendment in Committee for a fixed duty; and had their Lordships assented to that Amendment, and if, subsequently, any Motion had been made—on the third reading, for instance —to reverse that decision, he (Lord Dalhousie) should not have used his noble and gallant relative's proxy for the reversal of such decision, though on the general principle he should have been entitled to do so.

LORD GAGE was understood to say, in addressing their Lordships against the Bill, that the proposers of the measure had brought forward no argument in favour of it, except the power to pass it. He had heard it said, and that in quarters where he should have least expected it, that those who opposed this measure did so from a dread that it would operate against themselves. Now, he should like to know how far these ultra liberal Gentlemen meant to carry their imputations? Were they not to defend their own rights, properties, liberties, or he supposed their lives? Was that to be the state of nature of which they had heard? Who would defend them if they would not defend themselves? or what would be committed to them to defend if they did not defend what was their own? Where was the impropriety of their opposing a measure in which they saw, or fancied they saw, destruction to theirs and to them, with no

countervailing benefit to the rest of their countrymen? And besides, if they were to be sacrificed for the benefit of the rest of the community, where was the doctrine to stop? Would noble Lords be allowed to roll in wealth while their poorer brethren were starving? Ten thousand a year! that was too much for any one family; what need of 500*l.*? what need of 100*l.*? They might depend upon it this would come; though, if their Lordships conceded in time, they might generously be allowed as much as would enable them to live—at least, for the term of their natural lives; though, if they delayed to pass the measure, they would in the end be forced to do the same thing with a worse grace, and might be kicked out of their estates altogether. Did noble Lords believe that there was no danger in the operation of such a measure as the present? Had it not been admitted on all sides that the lesser yeomen might, and in all likelihood would be ruined? Well, then, who was to employ their labourers and the numerous artisans who were dependent upon them for employment? There would be no question, that if such were to be the case, the country towns would be ruined. Then would come the reaction upon the manufacturing towns; and, on the first pressure of distress, they would start several questions which would not be very palatable to their Lordships. If there were some advocates of this measure who appeared before them in the guise of friends, look who were its promoters on the other side. Was there a single republican democrat?—was there a single Quaker, Baptist, or Unitarian?—was there one known or suspected enemy to the Church or State, Crown or aristocracy, who would not be found heart and hand urging on this measure? Even if their Lordships approved of this measure — as much as nine-tenths of them in heart, notwithstanding their votes, disapproved of it—he should still say it was their bounden duty to stand firm in resisting it, at least until they were released from their post by the constitutionally expressed will of their country. Let no noble Lord flatter himself that this measure would be the last of the kind they would have to pass. The institutions of this country, both in Church and State, would be shaken to the foundation; the Charter would become the order of the day; and this great constitutional monarchy would be merged in some model republic, without power or influence abroad, and without stability at home. He regretted to be obliged to advert to the observations made on this question by the noble Duke (the Duke of Wellington) on occasion of the second reading of this measure. The noble Duke said he supported this measure, because he felt it necessary to support the Crown. A strange support to the Crown was that which weakened the influence of the Crown's firmest supporters, and which handed over the Crown to what he supposed they had now found out to be the more safe and loyal keeping of a Chamber of Commerce; and a right loyal statesman must he be who made that condition the price of his services! If, in a strait like this, there was so little patriotism among our public men as this measure showed, then the time had come, and the nation might be said to deserve its fate. But if patriotism existed, then, no doubt, talent enough would be found sufficient to conduct the Government, and leaders able to inspire as much enthusiasm as any Member either of the late or the present Cabinet. When the noble and gallant Duke trusted that that might be the last advice which he would tender to their Lordships, he must confess that great as was the pain with which he heard the whole speech, that part was not the least painful. He could not marvel that the prestige of the noble Duke's character should prevail even to the extent of carrying the present measure; but on that account he felt the more deeply that the last triumph gained by the noble Duke should be a triumph gained over his own country.

EARL STANHOPE said, it was not his intention to animadvert on the conduct of a Minister who would in the course of a very few hours, he trusted, be dismissed from office, and would never again be employed by the country. Nor would he advert to the way in which this measure had been carried, by a strange and monstrous coalition of parties who had conspired together to overthrow protection, which each of them had formerly supported. He would only say, that though defeated he was not discouraged; for he entertained a firm and confident conviction that protection would ultimately triumph, whatever might be the sacrifices and the struggles through which they were to pass. He did not intend to argue further against this Bill; but he wished to call their Lordships' attention to some of the consequences which were certain to follow it. He would as-

sume throughout that the principles of free trade were the principles of common sense—that it would be a benefit to all classes of the country—and that it was their duty, as speedily as possible, to carry it out to the fullest extent. Well, if that were so, the agricultural classes, who were at all times entitled to consideration, would, under the altered circumstances of the case, have a right to demand that they should not be subject to exclusive taxation. They ought no longer to be subject to the land tax, to the malt tax, or to the hop duty. These were the taxes which at present they exclusively paid, for no manufacturer paid any tax upon his capital as the agriculturist did on his land, nor on the produce of his industry, as the agriculturist did on his malt or hops. Neither ought they to be called upon to pay more than their just proportion of the church rate, the highway rate, or the poor rate. At present it was well known that by far the greater portion of those rates was paid by the occupiers of land. Then the Tithe Commutation Act ought to be altered. He had always opposed that tax, as unjust alike to the farmer and the titheowner; but at all events it was impossible to deny that the Act could not, in present circumstances, be fairly carried out. Then there was another circumstance—the admirable Amendment, founded in strict justice, which was proposed by the noble Duke (the Duke of Richmond) on the cross benches, ought to have met with the cordial and unanimous assent of their Lordships; and if such a measure did not follow, as it ought to have accompanied, this measure, their Lordships would commit the most flagrant act of injustice which had ever been perpetrated. Next see the position in which this measure would place all those persons carrying on work for which they had given contracts. They would wholly alter the relations of those parties; and they could not, without the most manifest injustice, compel the one to pay, or enable the other to exact, a greater amount in value than was originally stipulated for. They would, therefore, be inevitably driven to that which was called by an eminent writer (the late William Cobbett) an equitable adjustment; and though he did not participate in the general views of that writer, which varied, indeed, like the colours of a rainbow, he thought he had in this case happily described what the effect of this measure would be. They were not without experience of what such a measure would be. They had already had bitter experience of that measure of confiscation called Peel's Currency Bill; and the present measure might justly be called the second volume of Peel's edicts of confiscation. If, however, they were to have free trade in corn, why should there not be free trade in all agricultural produce? Why should not the farmer be allowed to grow tobacco on his own land, and manufacture sugar from his beet-root? If they were to be called on to compete with the poorest countries in Europe, they could only do so by means of the measures he had mentioned, and by an enormous reduction of taxation. The cry would soon be set up for an immediate and total repeal of taxation, particularly on the articles of soap, coffee, sugar, and low-priced teas; and after all it would be found impossible to satisfy the public demand. He concluded, therefore, by warning their Lordships of the danger of their course; that it would end in nothing less than ruin and revolution; and if the revolution should proceed, which might now be said to have commenced, he cast upon the heads of its authors all the calamities which would ensue.

The EARL of SELKIRK merely rose to say that he continued still to take the same view of the measure which he had done when the question was last before their Lordships. It had been said by some noble Lords, that after this measure was carried, that was, after the question had been put that this Bill do pass—the Corn Laws would be no more heard of. He did not believe that. And if the view which he took of the matter should prove to be correct, he trusted their Lordships would not hesitate to reconsider the subject. That was no new thing: the country had more than once been without any system of Corn Laws, till they got tired of that, and re-enacted them; and if their Lordships found that this measure brought ruin and misfortune and mischief on the country, he trusted their Lordships would have no hesitation to retrace their steps, and return to that which he held to be, compared with history, the Corn Law constructed upon the best plan which this country had ever witnessed—he meant the last edition of the sliding-scale.

The DUKE of RICHMOND remarked the circumstance that the third reading of this Bill had been moved without any noble Lord rising to move that it be read a third time that day six months. Now, he should

be very sorry that his name should appear on the Journals of the House as assenting to the third reading of the Bill. He was anxious to hear some explanation from the Government relative to the statement made by his noble Friend the President of the Board of Control, that it was the intention of the Government to persevere in introducing some equivalent or compensation, or whatever it was, to the landed interest, and that all that remained to be done in the matter was, to embody their intention in an Act of Parliament. Now, that was just one of the things of which they had a right to complain, namely, that the Bill had not yet been brought in, and, what was worse, that the Chancellor of the Exchequer, in bringing forward his budget, did not say a single syllable of the sums to be paid in aid of county rates. What he wished to hear from Her Majesty's Government before they separated, was, whether they were still of opinion that the statements by the right hon. Baronet at the head of the Government, on the first reading of this Bill, might be carried into effect; because it was very possible that the Act of Parliament in question might not be framed under the direction of the present Government. It was possible that that Government might be out of office not only before this Bill had been brought in, but even before the Resolution on which it was to be founded could be proposed in the House of Commons. The effect of this would be, that their Lordships would have given a third reading to these two measures, and the Government would remain unpledged by anything except their speeches; and noble Lords must not be very angry with him for saying that speeches and pledges were very different things. He quite agreed with the noble Lord who had last spoken, in thinking that it was quite out of the question to treat the present measure as a final settlement of the question. Did they believe that the great body of the middle class of this country, landowners and tenantry, would sit down patiently under an Act which they felt to be injurious and unjust? No such thing. It would be no agitation for the continuance of the miserable sliding scale provided by this Bill, or for a miserable fixed duty of 4s.; but a struggle to get back an adequate protection to our agricultural produce, and to the domestic industry of the country. For his own part, he would do all in his power to persuade the farmers of this country not to yield, but to behave like men. He would recommend them to be up and stirring, and they might succeed in renewing protection. He would recommend them to agitate for the removal of local burdens, and not to submit any longer than they could help to the malt tax. He would recommend them to take care that those who hold mortgages on property should pay taxes equivalent to those paid by the holders of real property. If the farmers should reject his counsel, he had mistaken their character. It had been said that the tenant-farmers were indifferent to this measure. He denied it, and pointed to the petitions presented by himself and other noble Lords in support of his assertion. A right rev. Prelate had stated that the parochial clergy were indifferent to this measure, and referred to the fact that they had held no meetings. He (the Duke of Richmond) applauded them for not meeting in a body, for no one objected more than he to large meetings of the clergy to discuss political subjects. Their names were to be found, however, at the head of numerous petitions signed by their parishioners. He thought the case of the working clergy a very hard one. He believed they did their duty to their parishioners, and practised what they preached, and that they deserved to be well treated; and yet how were they going to treat them? They were about to kindle strife between them and their parishioners, who would object to pay on an average of seven years when the price of corn had been reduced. He entertained considerable doubts whether the tenant ought to pay more than on an average of two or three years. He did not advocate a reduction in the pay of the clergy, but thought the loss ought to fall on the landlord. He had ventured to propose a clause for the protection of the tenant-farmer, but had not divided upon it, knowing that he would not have had the support of a single Peer; besides, he was unwilling to pledge noble Lords on the subject, knowing that as soon as the Bill had been carried, Ministers would resign. He doubted very much, however, whether they contemplated such an issue when the Bill was first introduced. He believed, on the contrary, that the Government acted on mistaken ideas of public opinion—that they did not take into consideration the independent character of the British yeoman. They never, he believed, contemplated the probability of a Cabinet Minister unable to obtain a seat as the champion of this popular measure. They never expected to see the Secre-

tary for the Colonies and the Secretary for Ireland so long without seats. They were now about to carry the Corn Bill and the Customs Bill; and they would have the satisfaction of reflecting that, in carrying these two Bills, they had destroyed one of the largest parties which ever existed in this country; that they had risked the future government of the country; that they could not hope, for some time at least, if ever, again to see a strong Government. Their Lordships must be well aware of the evils which must result from a Government being kept in office by a majority of six. He was glad, he hoped and trusted, that they were about to resign; he was glad, because he believed that their resignation would be of future service to the country. It would show future statesmen that they could not break pledges with impunity. It might throw out of office and disappoint 110 followers; but he, for one, would not be very sorry to find that these 110 individuals had gained nothing by their conversion. The noble Duke concluded by moving that the Bill be read a third time that day six months.

The EARL of ELLENBOROUGH, in answer to the question put to him by the noble Duke who had just sat down, as to whether the Government still thought it expedient to pass the measure with respect to the burdens on land with which the Corn Bill was to be accompanied, begged to state, on behalf of himself and his Colleagues, that their opinions on the point had undergone no change. He would also say for himself—and he believed he might also say for his Colleagues—that they would consider themselves individually bound to endeavour to obtain every one of those measures.

The DUKE of RICHMOND'S Amendment was then negatived, and the Bill read a third time, and *passed*. The Earl of HARDWICKE, Earl STANHOPE, the Duke of RICHMOND, and some other Peers cried loudly "Not-content."

CUSTOMS BILL.

On the Order of the Day for the Third Reading of this Bill being moved,

The DUKE of RICHMOND moved that it be read a third time that day six months. He wished to ask the noble Lord at the head of the Board of Trade whether, during the short period which was expected to intervene before the resignation of the Government, he could receive a deputation from the Spitalfields weavers? On a former occasion, the House was aware when these parties attended at the Board of Trade they had not the good fortune to see the noble Lord, who was ill in bed, and therefore could not attend. The deputation was therefore received by the Vice President of the Board of Trade; and the circumstance had never been communicated to the noble Lord. The deputation certainly left the Board of Trade under the impression that they had made out a case which would entitle them to favourable consideration. The official answer, he believed, was that their case would be considered. He understood that they asked precisely the same concession as that made to the Coventry ribbon manufacturers. He wished to know whether the noble Earl would receive a deputation from the Spitalfields weavers, and whether if their case should turn out to be the same as that of the Coventry ribbon manufacturers, he would think it right to propose, or at all events to support, a Bill to place the former in the same situation as the latter? He asked the Government whether they ought not to embrace this opportunity of rectifying a mistake; and he was the more anxious on this point because an impression prevailed amongst large bodies in this country that justice was entirely lost sight of.

The EARL of DALHOUSIE said, the noble Duke was perfectly accurate in stating that he had been prevented by illness from being present when the Spitalfields deputation attended at the Board of Trade. Indeed, he had never heard a syllable about that deputation until it was mentioned the other night in that House. He wished, however, to vindicate his right hon. Friend the Vice President of the Board of Trade from the charges which had been made against him. The noble Duke was altogether in error in assuming that the fact of the Spitalfields deputation not having been communicated to him (Earl Dalhousie) was equivalent to a denial of justice. These parties, on the contrary, had the advantage of communicating with the officer of the Government whose opinion was of far more consequence than that of the President of the Board of Trade, and who, after all, would have to determine the question—namely, the Chancellor of the Exchequer, acting with the Lords of the Treasury. The case of these parties was placed before the Chancellor of the Exchequer, who declined to accede to their request. They had not, therefore, been left without a hearing; and under these cir-

cumstances he felt that he should be only mocking them if he proposed to receive a deputation for the purpose of hearing their case.

LORD STANLEY wished to know whether, when the Chancellor of the Exchequer declined to accede to the request of these parties, he was aware that a precisely similar request, made under precisely similar circumstances, had been granted to the Coventry ribbon manufacturers?

The EARL of DALHOUSIE: The Chancellor of the Exchequer was aware of the circumstance, and for this reason—that the Coventry weavers, after leaving the Board of Trade, waited on him as the officer whose duty it was finally to examine into these matters.

The DUKE of RICHMOND said, he wished to observe that the demand made by the Spitalfields weavers could not be opposed to the principle of free trade; because a similar demand had been granted to the Coventry weavers, after having been supported by the hon. Member for Coventry, who was known to be a very decided free trader.

On Question, "That 'now' stand part of the Motion," *resolved* in the *affirmative.*

Bill read 3ª. accordingly, and *passed.*

House adjourned.

The following Protests against the Third Reading of the Bill to Amend the Laws relating to the Importation of Corn were entered on the Journals:—

(No. 1.)

DISSENTIENT—

1. Because the repeal of the Corn Laws will greatly increase the dependence of this country npon foreign countries for its supply of food, and will thereby expose it to dangers against which former statesmen have thought it essential to take legislative precautions.

2. Because there is no security nor probability that other nations will take similar steps; and this country will, therefore, not only be exposed to the risks of failure of supply consequent on a state of war, but will also be exclusively subject to an unlimited influx of corn in times of abundance, and to sudden checks whenever short crops shall reduce the ordinary supply from the exporting countries, or their Governments shall deem it necessary to take precautionary measures for their own protection, thus causing rapid and disastrous fluctuations in the markets of this country.

3. Because under a system of protection the agriculture of this country has more than kept pace with the increasing demand of its increasing population; and because it is to be apprehended that the removal of protection may throw some lands out of cultivation, and check in others the progress of improvement which has led to this satisfactory result.

4. Because it is unjust to withdraw protection from the landed interest of this country, while that interest remains subject to exclusive burdens imposed for purposes of general, and not of special advantage.

5. Because the loss to be sustained by the repeal of the Corn Laws will fall most heavily on the least wealthy portion of the landed proprietors, will press immediately and severely on the tenant-farmers, and through them, with ruinous consequences, on the agricultural labourers.

6. Because indirectly, but not less certainly, injurious consequences will result to the manufacturing interest, and especially to the artisans and mechanics, from competition with the agricultural labourers thrown out of employment, but principally from the loss of the home market, caused by the inability of the producers of grain, and those dependent on them, to consume manufactured goods to the same extent as heretofore.

7. Because the same cause will produce similar evil results to the tradesmen, retail dealers, and others in country towns, not themselves engaged in agricultural pursuits, but mainly dependent for their subsistence on their dealings with those who are so engaged.

8. Because the effect of a repeal of the Corn Laws will be especially injurious to Ireland, by lowering the value of her principal exports, and by still further reducing the demand for labour, the want of which is among the principal evils of her social condition.

9. Because a free trade in corn will cause a large and unnecessary diminution of annual income, thus impairing the revenue of the country, at the same time that it cripples the resources of those classes on whom the weight of local taxation now mainly falls.

10. Because a general reduction of prices, consequent on reduction of the price of corn, will tend unduly to raise the monied interest at the expense of all others, and to aggravate the pressure of the national burdens.

11. Because the removal of differential duties in favour of Canadian corn is at variance with the legislative encouragement held out to that Colony by Parliament, on the faith of which the colonists have laid out large sums upon the improvement of their internal navigation; and because the removal of protection will divert the traffic of the interior from the St. Lawrence and the British ports of Montreal and Quebec, to the foreign port of New York; thus throwing out of employment a large amount of British shipping, severing the commercial interests of Canada from those of the parent country, and connecting those interests most intimately with the United States of America.

12. Because the adoption of a similar system with regard to other articles of commerce will tend to sever the strongest bond of union between this country and her Colonies, will deprive the British merchant of that which is now his most certain market, and sap the foundation of that colonial system, to which, commercially and politically, this country owes much of its present greatness.

Stanley
Richmond
Exeter
Hardwicke
Warwick
Malmesbury
Lucan
Stanhope
G. Rochester
Feversham
Bolton
Hastings
Doneraile
Southampton
Saltoun
Penshurst
Skelmersdale
Kenyon
Boston
Hay
Newcastle
Marlborough
Sandwich
Wilton
Redesdale
Rutland
Carleton
St. Vincent
Oxford and Mortimer
Munster
Beaufort
Berwick
Eldon
Ashburton
Gage
Cadogan
Northwick
H. Exeter
Buckingham and Chandos
Delawarr
Canterbury
Cleveland
C. Bangor
Manvers
Beresford
Somers
Tankerville
Mansfield
Abinger
Beaumont
Orford
Lovell and Holland
Sheffield
Airlie
Beverley
Colchester
Pomfret
Sherborne
Graham
Digby
Combermere
Colville of Culross
Sondes
Chesterfield
Ardrossan
Ranfurly
Gascoigne Salisbury
Orkney
Grantley
Loftus
H. Gloucester and Bristol
Selkirk
Templemore
Charleville
Dartmouth
Nelson
Stradbrooke
Polwarth
Lake
Willoughby D'Eresby
Bradford
Vaux of Harrowden
Carnarvon
Brodricke
Crofton
De Freyne
Cawdor
Clancarty
Lorton

(No. 2.)

Dissentient—

Because the Bill for repealing the Corn Laws is not accompanied, as in justice it ought to have been, by the following measures, viz. :—

1. The entire and immediate repeal of all the taxes which fall directly upon land—the land tax, the malt tax, and the hop duty.

2. The equalization of all the rates of which the occupiers of land bear at present an unfair and undue proportion—the poor rates, the highway rates, and the county rates.

3. An alteration of the Tithe Commutation Act, which can no longer be just or applicable.

4. A legislative enactment authorizing all persons who hold leases of land for unexpired terms of years to surrender them on giving six months' notice before any of the usual days of payment.

5. A legislative enactment directing the payment stipulated in every contract to be reduced according to the proportion which the average price of wheat at the time of making such payment bears to its average price at the time that such contract was formed, so that such payment may be of the same value as was originally intended and agreed to by the parties.

6. A legislative enactment authorizing the cultivation of tobacco and the preparation of sugar from beetroot and other vegetables, and exempting the said tobacco and sugar from the payment of any duty.

7. The entire and immediate repeal of those taxes which are imposed upon articles of general consumption, of the Excise duty on soap, and of the Customs duties on sugar and coffee, the produce of British Colonies, and on those sorts of tea and tobacco which are used by the labouring classes.

Stanhope.
Hastings.
Malmesbury.
Richmond, for the first six reasons.
Penshurst, for the third reason.
Beaufort, for the first three reasons.
Mansfield, for the first three reasons.
Selkirk, for the second reason
Grantley, for the second reason.
Broderick, for the first three reasons.
Crofton, for the first two and sixth.
De Fresne, for the first two and sixth.
Clancarty, for the first two and sixth.
Tankerville.

HOUSE OF COMMONS,

Thursday, June 25, 1846.

Minutes.] Public Bills. 1°. Commons Inclosure (No. 2); Rateable Property (Ireland); Newfoundland; Exclusive Privilege of Trading Abolition (Ireland).

2°. Clerks of the Crown, &c. (Ireland).

Reported. Bankruptcy and Insolvency; Coroners (Ireland).

Petitions Presented. By Mr. Fox Maule, and Mr. Bouverie, from an immense number of places, complaining of the Refusal of Proprietors of Land to grant Sites for the Erection of Free Churches (Scotland), and praying that Means may be devised for enabling Congregations to rent or purchase Ground on Reasonable Conditions.—By Mr. Bright, from Inhabitants of Carville, Earl's Colne, Rugeley, and Wootton Bassett, and from Members of the Independent Church, Tonbridge, for the Better Observance of the Lord's Day.—By Mr. Bailey, from Dean and Chapter of the Cathedral Church of Hereford, and by Sir Stephen Glynne, from Incumbent, Churchwardens, and other Inhabitants of the Township of Nerquis, against

the Union of the Sees of St. Asaph and Bangor, but at the same time providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Viscount Sandon, from Refiners of Sugar and Molasses at the Port of Liverpool, for the Adoption of Measures for securing an Adequate Supply of Sugar.—From Merchants, Shipowners, Copper Smelters, and others, of Liverpool, for the Repeal of the Duty on Copper.—By Mr. Bright, from Messrs. Ricketts, Wills, and Co. Manufacturers of Tobacco and Snuff, in ths City of Bristol, for Reduction of Duty on Tobacco.—By Mr. Bright, from Inhabitants of Street and Sibford, and from Minister and Members of the Congregation worshipping at the Primitive Methodist Chapel, Mansfield, praying the House not to sanction, by Votes of Money, or otherwise, any further Embarkation of Troops from the United Kingdom to Foreign or Colonial Countries.—From President and Council of the Liverpool Academy of Painting, in favour of the Art Unions Bill.—By Mr. Hutt, from Inhabitants of the Borough of Gateshead, for promoting the Establishment of Baths and Washhouses.—By Mr. Muntz, from Francis Clark, J.P., Birmingham, and others, for opening the Royal Mint.—From Mayor, Aldermen, and Burgesses of the Borough of Liverpool, praying that Means may be devised for the Reformation of both Juvenile and Adult Criminals, and for their Restoration to the Ranks of the Respectable Portion of the People.—By Mr. Williams, from Inhabitants of the Parishes of Kilgerran and Llanfynydd, for the Promotion of Education in Wales.—By Mr. Thomas Duncombe, from Richard Ellison, of Worsbrough Common, Linen Weaver, complaining of unjust Imprisonment, and praying for Inquiry.—By Colonel T. Wood, from Benjamin Lewis, of No. 10, Cumberland Place, New Road, Regent's Park, for Alteration of Law respecting Executors.—By Viscount Sandon, from Operative Ropemakers and Twine Spinners employed in the Ropeworks of Liverpool, where Steam Power is used, for exempting Ropeworks from Factories Acts.—By Viscount Sandon, from Wool Staplers in the Parish of Huddersfield, and from Factory Workers in the employ of Mr. Soman, in the Township of Bolton, for limiting the Hours of Labour in Factories to Ten in the Day for Five Days in the Week, and Eight on the Saturday.—By Mr. Lascelles, from Owners and Occupiers of Rateable Property, in the Hamlet of Clifton, Yorkshire, against the Highways Bill.—By Mr. Allix, Mr. Bramston, Mr. Christie, Mr. J. H. Vivian, and Mr. Curteis, from a number of places, for Repeal of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Colonel Rolleston, from Jas. Nicholson and others, Officers connected with the Administration of the Poor Laws, for a Superannuation Fund for Poor Law Officers.—By the O'Conor Don, from Guardians of the Poor of Mohill Union, for Relief from Repayment of Loan granted for the Building of their Workhouse.—By Mr. Ainsworth, from the Guardians of the Poor of the Bolton Union; by Colonel Rolleston, from Owners and Occupiers of Land in the Parish of Ruddington; and by Colonel Thomas Wood, from the Board of Guardians of the Brentford Union, for Alteration of the Poor Removal Bill.—From Members of the Congregation of the Wesleyan Methodist Chapel, High Street, Gosport, praying that Trading in Prostitution may be made a Penal Offence.—By Mr. Hindley, from Inhabitants of Ashton under Lyne, against the Protection of Life, &c. (Ireland) Bill.—By Mr. Bright, from Inhabitants of Reading, and from Minister and Members of the Remonstrant Presbyterian Congregation of Bainbridge, for the Total Abolition of the Punishment of Death.—From Fredcrick Rosenborg, of 47, Savill Street, Hull, Surveyor and Engineer, praying that a Clerk may be authorized to attend a Trial at Guildhall, and produce for the Court and Jury the Plans and Sections deposited in the Private Bill Office of the Rugby, Swindon, and Weymouth Direct Junction Railway Company.—By Mr. Bright, from Inhabitants of Thorpe and Trowse, for the insertion of a Clause in all International Treaties binding the Parties to refer all Disputes that may arise to Arbitration.—By Mr. Bankes, from John Cree, Esquire, Justice of the Peace for the County of Dorset, and other Ratepayers, for Inquiry into the Weymouth Union.

PROTECTION OF LIFE (IRELAND) BILL—ADJOURNED DEBATE—(SIXTH NIGHT).

The Order of the Day for resuming the Adjourned Debate on the Second Reading of the Protection of Life (Ireland) Bill having been read,

MR. STAFFORD O'BRIEN would make a few observations upon the speech of the right hon. Baronet the Secretary of State for the Home Department. The right hon. Baronet had stated, and stated fairly, that those hon. Members who were opposed to the Coercion Bill need not stay away or vote in favour of the Bill out of gratitude to the Ministry for the free-trade measures it had brought in. Nothing could be more reasonable or fair than such a position. It was stated by hon. Gentlemen on the other side, as a broad rule, that whatever might be the state of society or the necessity for some protection to life, the only means of meeting it would be by remedial measures, and not by any infringement on the constitutional laws of the country. It had been alleged that there were hon. Members on his own side of the House who had always voted for coercion. Now, he had yet to learn that any hon. Member would stand up in that House and express his determination to vote for the present measure, because he had always voted in favour of coercive measures for Ireland, totally irrespective of the condition of the people, and of the credit of the Ministers who brought it in, and their claims upon the confidence of the country. He maintained that the Bill was pre-eminently a question of confidence in the Ministry, as it invested them with extraordinary powers to be used at their discretion. To take an illustration from events familiar to them all: if the Government, instead of having come down with measures of free trade as they had done at the beginning of the Session, had come down to ask for discretionary powers as to the opening of the ports, it must be clear that in so doing they would have asked for larger powers and more confidence than in proposing the enactments they had submitted to the House. He could draw no difference in the questions of confidence in the measures of the Government relating to the quantity of food, and in that which proposed restrictions upon the liberties of the Irish people. As they said they were not prepared to invest the Government with the powers they asked for in the one case, neither were they prepared to

invest them with extraordinary powers for the purpose of suspending the constitutional liberties of 7,000,000 of their fellow subjects. He thought that the right hon. Baronet (Sir J. Graham), in attempting to separate this question from one of confidence in the Government, narrowed the view of the question; and those who were prepared to vote for this Bill without reference to the question of confidence, he thought, showed an ignorance of the character of the people whom it concerned, and too little jealousy of constitutional liberty in general. They saw certain hon. Members on the other side of the House cheering every expression of confidence in the Government; and yet they stated that they were not prepared to vote in favour of a measure upon which the existence of the Government notoriously depended. There were also some hon. Gentlemen on his side of the House, who, though they had declared that they had no confidence in the Government, were yet prepared to invest the Government with powers to suspend the liberties of the people of Ireland. At the same time, on to-morrow, they would be ready to join in a special vote of want of confidence in the Government. Those who were impressed with this feeling of want of confidence, seemed to him to be acting most unfairly towards the country to which this Bill solely referred. There was here a strange grouping of parties; and if he were rightly informed, there were reasons shown, not only outside of the House, but also in the Cabinet itself, why the true friends of the Government should not support them on this occasion. Whatever this Bill might be for Ireland, whether a curfew one or not, they could have little doubt that the rejection of it would prove the welcome curfew for the Government. It would extinguish light from a domestic hearth from which confidence was excluded; and, therefore, he believed that in voting against the Bill, he should be relieving Government from a difficult position. They did not see much to embarrass their proceedings in taking this course, for they would be acting the part of Iris—

> 'Quæ luctantem animam nexosque resolverit artus."

When this Bill was first proposed in that House, although he doubted greatly its utility, and believed it to be a measure of a delusive character, although he did not wish, under particular circumstances, to vote against it, he was unable to record his vote in its favour. From all he knew of Ireland it was impossible for him to think that the clauses of this Bill could be made at all applicable as a remedy to the evils which she suffered under. He had never heard any hon. Member in that House assert with confidence either one of two things—first, that this Bill would pass at all; and next, that even if it did pass it would prove of any service to the country. All the speeches that were made in favour of the Bill resolved themselves into this one argument—namely, that if they threw out this Bill, they would give a stimulus to agitation in Ireland. Now, he would ask, if they threw out this measure upon the second reading, did they think life and property would be less secure in that country than before? The hon. Member for Newcastle-under-Lyme (Mr. Colquhoun) said that it ought to be called a Bill for the Protection of Life and Property in Ireland; but this Bill had nothing whatever to do with property. Before he agreed to the propriety of such a measure, he had first to consider whether all other means had been tried to protect life in Ireland. He would, therefore, allude to the five counties to which the right hon. Baronet (Sir J. Graham) had referred. Of three out of the five he might say that he had a personal knowledge and much experience. In another, Leitrim, the disturbances existed to a very great degree. It was said that no person in that county dared lend a barn to the police; and that temporary edifices had in fact to be brought and erected there for their occupation. What, then, was the result of their proceedings in Leitrim? Why, the disturbances there had been all effectually put down under the existing law. He referred to the 2nd and 3rd William IV., which was called "An Act for amending the laws in Ireland, for regulating the appointment of special constables, and for the preservation of the public peace." This law was passed in 1832, and was tried in Leitrim with the greatest success. Therefore, out of the five counties referred to by the right hon. Gentleman as being the most disturbed in Ireland, one of them where this law was called into existence was completely pacified. He believed that in neither of the other four had this Act been tried. Therefore, how could he feel justified in giving support to another measure which would suspend the Constitution and the liberties of the people of Ireland, with a knowledge

of the effects produced by the Act to which he had just referred, in the only instance in which its powers had been called out? He called upon the Government, then, to try the effect of this law in the other four counties before they asked for a measure of this extraordinary character. He believed that that Act was not as well known as it ought to be, or it would have been applied in all those cases where the ordinary law was found to be ineffectual. The right hon. Baronet had called this a topical measure, inasmuch as it would be only applicable to certain parts of Ireland. When the right hon. Gentleman had thus described it, and asked for their support, he thought it was but fair to ask the opinion of those hon. Members who were intimately acquainted with those particular districts to which the measure was proposed to be made applicable. Surely, the practical experience which these hon. Gentlemen had of the country ought to entitle their opinions to some consideration. When he looked, then, to the hon. Members for Clare, Tipperary, Roscommon, and Limerick, he found that they had all expressed their opinions upon the subject; and he believed that in the coming division their names would be found amongst the votes against this measure. He entirely concurred with them in thinking that it would prove both inoperative and inefficacious. He must admit, with sorrow, that there were a great many crimes committed in certain parts of Ireland; but before he agreed to encounter those evils by a Bill of this kind, he must inquire as to whether it contained any good to counterbalance its unconstitutional powers. As a resident and a magistrate in Ireland, as a gentleman particularly acquainted with the counties of Clare, Tipperary, and Limerick, he must say he should rather see the country without any measure at all than to trust to this Bill for the security of life and property in Ireland. The hon. Member for Newcastle-under-Lyme asked the right hon. Baronet to give a pledge that he would, at all events, maintain in Committee the clauses restraining the people within their own houses after sunset. Now, it was only fair that he should inform the right hon. Baronet as a magistrate, that in the county where he resided, it would be not only difficult, but absolutely impossible, to carry these clauses into operation. Within a few hundred yards from where he resided was the public road connecting Galway, Cork, and Limerick. The poor people in that district, in order to have their produce at market in the morning, must travel by night. Every night that he had been out he had always seen a considerable traffic upon the road. Now, he said it would be totally impossible to stop these people. If they did so, before the time they could clear their character, and obtain evidence in their favour, their little cargoes would be utterly useless, their market would be lost, and their little capital would be exhausted. He believed that no man was more anxious than the right hon. Baronet (Sir R. Peel) to be convinced of the fallacy he permitted himself to labour under. He said that he wished most earnestly he could believe that crime had not increased in Ireland. Now, he had never disguised in this House this fact, although in uttering it he knew he differed in opinion with many hon. Members by whom he was surrounded—namely, his belief that much of the crimes that were committed in Ireland were owing to the great difficulties and pressure which the people suffered from the want of provisions. In those same difficulties, he had found many reasons for these disturbances in Ireland, which he trusted would not occur again. Many of these districts were now perfectly quiet, owing to the precautionary measures of the Government. It was only fair to the right hon. Baronet to state that the pains he had taken, and the precautions he had adopted in keeping up a proper supply of food for the population, were, in his opinion, much more effectual in preventing crime in that country than the most stringent Coercion Bill that could be carried. He was very glad to pay this tribute of respect to his exertions as well as to those of the noble Lord the Secretary for Ireland. If it then were asked why, with these opinions, he would not wave his scruples upon the Coercion Bill, for the purpose of keeping the Government in office—if it were asked why he would run the risk of weakening the Executive Government by seeming to lend his aid to a party with whose ulterior views he had not only no sympathy, but on the contrary he was much opposed to, he must say he thought there was a time during the adminstration of the Government when he might have contented him self with merely protesting against this Bill, and not have opposed it as he now intended doing, by recording his vote against it. He could not take this course now; for however imperative he would feel it on other questions to vindicate the ques-

tion of party in this House, and to show the necessity of the followers surrendering their own opinions sometimes in support of their party, still, after the miserable exhibitions he had recently seen in that House, he did not regret having stated early in the Session that he felt he owed allegiance, free allegiance, and he trusted unfettered allegiance, to the spirit of party. And although they had been recriminating each other — although many taunts had been uttered from different sides of the House as to the obstruction given to public business in the course of this Session, he must say he believed that when they came calmly to consider the subject, they (the country party) would not be found to blame for the course they had taken; but the whole censure must be attributable to that attempt which, he must say, was a most fatal attempt on the part of the Ministers, to govern without a party. The usages and laws of this House were constructed to meet the principle of two well disciplined parties; and because there were now many other parties in the House, those usages were found to be inapplicable—hence sprang their difficulties and their perplexities. He believed that the recent measures of the Government, so far from diminishing the difficulties of the Government, would much more increase them. How much better would it be to divide the House into two distinct parties in this country, rather than to adopt the eclectic policy upon which so much had been said, and for which their political machinery was so inapplicable. [Sir J. GRAHAM: Hear!] The right hon. Baronet cheered; but he confessed he did not understand why he should then do so; for if there was any hon. Member in that House more capable, from experience, to judge of all parties in that House, it was the right hon. Gentleman himself. If that evil should ever come when he would feel himself called upon to vote for a Coercion Bill for Ireland—and he hoped it never might—he should not at least regret having been able, on that occasion, to advocate his present policy. If he should ever have hereafter to labour with those they were now likely to displace as a Government, for the defence of the institutions of the country, he should not labour more assiduously, or regret the more their want of success now, because he ventured boldly and plainly to tell them that he could not, in duty to the constituency which he represented, refrain on the present occasion from declaring his want of confidence in the Government, and backing that declaration by a vote against this Bill.

MR. VESEY concurred in the praise of the right hon. Baronet for his measures for the relief of Ireland. The present Bill he would consider under two heads, the necessity for it, and its expediency. He argued that it was necessary from this fact, that notwithstanding the time the Bill had been before the House, the prestige and influence which, being before the House, it might be supposed to have had, the season of the year, and the extensive employment of the people, life was still as insecure, and the law was as little respected as ever. The public officers were intimidated, and public prosecutions could with difficulty be proceeded with, from the unwillingness resulting from the fear of witnesses to come forward. He was ready to admit, and he believed no one could deny, that the greater proportion of the evils with which Ireland was afflicted were evils dependent alone upon the social system which was found to have existence there. Those evils had been acknowledged by the Government; and he rejoiced in the hope that the Bills which had recently been brought in would tend greatly to alleviate the sufferings of the poorer agriculturists in Ireland, and to give protection to the occupiers of land from all injustice and every oppression. To such diseases the appropriate remedy had been found: to the removing the insecurity to life there must be measures of a totally different kind. Great crimes could not be suppressed by light measures; and he was convinced that the commission of the crime now sought to be prevented in Ireland would cease immediately upon their putting in force such a Bill as that now before the House. It had been said that these crimes were committed in almost every instance in the day, and that, therefore, this Bill, which applied only to precautions in the night time, would prove useless; but it was forgotten that, according to the testimony of police-officers and others familiar with the facts, in the disturbed districts, the conspiracies were all formed, the arrangements were all made, at dusk or in the night time. Many persons, it was well known, were compelled, against their will, to become parties in those nefarious associations; but this would no longer be the case if, by vigilance, they made it impossible that the meetings alluded to could be held. Why, asked many hon. Gentlemen, resort to an unconstitu-

tional measure? He would say for this reason, that as these five counties were in an unconstitutional state, they could not expect to be governed by constitutional law. There existed in these localities an organized and powerful *imperium in imperio*, and until that was broken up and destroyed, peace, tranquillity, and safety could never be restored. He, for these reasons, called upon the House to accede to the second reading of the Bill. Their decision, if in support of it, would be received with gratitude by all the well-disposed and orderly inhabitants of Ireland; and if, on the other hand, they rejected it, they would have done much to weaken the confidence which otherwise the well-disposed and orderly might feel in the protection of the Legislature.

MR. HUME had not anticipated that he should speak on this question. He had no doubt whatever that, ere this, the right hon. Baronet would have withdrawn the Bill. The right hon. Baronet must be convinced that it could never pass into law, and that every successive prolongation of the discussion had the effect of aggravating the evils and the mischief which the right hon. Baronet deprecated. He congratulated the House upon the new tone which was now taken towards Ireland. He could remember, at a former period, when a Coercion Bill was introduced, that out of a House of 550 Members, only 89 Members, Scotch and Irish together, could be found to vote against it. Opinion upon these matters was now altered, and altered for the better, and he very sincerely congratulated the House upon the fact. He saw, however, a subject for regret in what he might term the broken pledges of the right hon. Baronet. The right hon. Baronet had, a short time ago, distinctly stated that, as he had found coercion and oppression fail, it was his intention to make a trial of conciliation; yet now, from some unknown cause, the right hon. Baronet insisted upon the necessity of a Bill which no one could doubt was a Bill of coercion. He contended that it was unnecessary, and that, if necessary, it was useless. He would admit all that had been alleged as regarded the character of the outrages, the extent of the insecurity of life and property—all this he would admit; and yet he would deny that such a Bill as this could, by any possibility, restore tranquillity and security. In 1823, when plans similar to the present were proposed for the pacification of Ireland, he said then that which he was ready to repeat now—namely, that if he were an Irishman he would agitate against abuse and tyranny, and never permit such laws to continue in force as were now proposed to Parliament. It was by such laws as these that the people of Ireland had been converted into a nation of slaves; and it was unreasonable in those who had lowered the Irish to the condition of slaves to expect from them a submissive and peaceful demeanour. Had they not for ages been taught the lessons of agitation and disturbance? and though the penal laws which aggrieved the Roman Catholics had been repealed in name, yet in practice the country was nothing the better for the change, because the patronage of the Government was still limited to the Protestant inhabitants of Ireland. He repeated, that Coercion Bills could do no good. In the thirty-one years previous to 1824 the disturbance which prevailed in Ireland knew scarcely any bounds or any intermission; and yet during twenty-six years of those, thirty-one Coercion Bills were in full operation. But such measures never had put down discontent, and were never likely to produce any such result. During the whole of those thirty-one years the people never had a fair chance; and during the time which had elapsed since then they had occasionally been oppressed by measures of this nature, but with no diminution of the tendency to disturbance which the present Bill was intended to suppress. The English and their descendants who resided in Ireland were only a mere colony. They were not above one in seven of the whole population; and was it to be borne that so small a number should domineer over the whole mass of the people? Was it not too much to expect that the Irish should be so dead to all the natural feelings of men as to continue to endure such unfair treatment? Parliament, in considering the position of Ireland, and the legislation which suited that country, ought to look to the condition of Belgium, Germany, and other places where Roman Catholics enjoyed privileges similar to those possessed by their Protestant brethren. In those countries where no distinctions were made between Protestants and Catholics, the Catholics were as good citizens and as loyal subjects as any in the world. Much of the evils of Ireland arose from religious persecution; and he did not hesitate to say that unless the Catholics were treated upon terms of equality, England had no right to expect

that the people of Ireland should remain quiet. So long as the present system continued, Ireland would always prove a stumbling-block to the English Government. The viceroyalty was another cause of mischief; the right hon. Baronet must himself laugh at the viceregal Government in Ireland, and if they had his honest opinion, not his political view, he should be certain of the right hon. Baronet's vote in favour of his Motion to get rid of the Lord Lieutenant of Ireland. Again, the noble Lord (Lord G. Bentinck) stood high in the opinion of his Friends as a man of honour, and he was frequently referred to. What gave him this power? The circumstances that he was well acquainted with the subject, and that the parties might depend upon his impartial and honest decision. He would then ask the noble Lord to give upon this subject his impartial and honest decision, and his vote would be against the continuance of the viceroyalty. When Ireland was placed on the same footing as England and Scotland, they might look with confidence to a peaceable and tranquil state; but till they gave perfect equality they had no right to complain of discontent. Although he disapproved of Repeal, and thought that union was what was wanted, yet they ought to alter those institutions which prevented the Union from being complete, and which prevented the promises made by Mr. Pitt from being realized. They could not hope that the Irish would be content if they were deprived of privileges enjoyed by ourselves, and found themselves at the mercy of a few individuals, and subject to the execution of harsh laws, the administration of which was placed in other hands. Under the Government of Earl Grey, indeed, there was the commencement of a belief among the Irish people that they were about to obtain protection, notwithstanding the error in introducing the Coercion Bill; but now that belief had abated. But let hon. Members look back into the pages of history, and they would find that in the early part of the last century the condition of Scotland was worse, and there was more lawlessness than in Ireland at the present time. Scotland had been improved; and why were not the same means tried in Ireland? Out of their own country the Irish were quiet and ready to work: and what made the Irish the wild beasts they were morally supposed to be at home? Why, they were treated like wild beasts and were shut up like them. It was seen that they conducted themselves well abroad; and when murder and other crimes were so abundant in their own country, why did not the Government profit by the example of other countries? Why did they permit these crimes to continue, by keeping the people in poverty and distress? That poverty was the chief cause of those crimes was manifest by the small number of offences in the four better counties of Down, Wexford, Kilkenny, and Monaghan, compared with the four poorer counties of Mayo, Clare, Galway, and Cork. The Sanatory Report enabled him to make the following comparison:—

	The four Counties where the average proportion of mud hovels as habitations is lowest — Down, Wexford, Kilkenny, and Monaghan.	The four Counties where the average proportion of mud hovels as habitations is highest — Kerry, Mayo, Clare, and Cork.
Proportion per cent of families occupying habitations which are mud cabins having only one room	20	61
Proportion of deaths from epidemic disease to every 10,000 of the population	35·5	47·8
Average age of all who have died during 10 years ending June 6, 1841	33·4	26·8
Average age of all the living in 1841	24·11	23·5
Proportion of births to population ...	1 in 33·4	1 in 29·9
Increase per cent of the population since 1831.....	5·0	8·7
Per cent of the population 15 years and under	38·8	41·9
Above 50 years.....	11·6	9·5
Proportion per cent of male and female, married ...	43¼	39
Population 17 years and upwards, unmarried	47¾	52
Per cent of the population 5 years old and upwards who can neither read nor write....	42·8	69·7

And when they came to the amount of

crime in these counties, they found these results:—

	The four Counties where the average proportion of mud hovels as habitations is the lowest —— Down, Wexford, Kilkenny, and Monaghan.	The four Counties where the average proportion of mud hovels as habitations is highest — Kerry, Mayo, Clare, and Cork.
Proportion of crimes of violence or passion to each 10,000 of the population, on an average of 8 years, to 1842:—		
Murders and Manslaughters	32	72
Rapes and assaults with intent to commit	17	44

He must say also that another evil which afflicted Ireland was the want of a tenant right; and from Lord Devon's Report, it was abundantly clear this was a fruitful source of discontent and of those agrarian outrages which were a disgrace to the country. In truth, poverty and bad laws were the causes of all the evils that afflicted Ireland; and, whatever the consequences of his vote might be, the time was come when every man who thought as he did ought to vote against any Coercion Bill.

VISCOUNT NEWPORT said, that ever since his first perusal of this Bill his opinion had been that it was of an irritating and exasperating nature. He found that the Irish Members on the other side were quite unanimous in their opposition to it. They rightly considered it to be an attempt to govern Ireland on a wrong principle, and not at all calculated to allay and diminish the number of those present outrages which they deplored in common with himself, and they considered it to be an insult to the feelings of the Irish people. The Irish Members on the Government side of the House, he believed, were prepared to vote for the second reading of this Bill; but he thought it was more with a view of doing what the magistrates and their constituents thought would add strength to the laws and rigour to the enforcement and to the administration of justice, than from other motives. It was not that they thought any benefit was to be derived from the Bill, nor was it from a cordial approbation of its principle. All the Irish Members he had ever spoken to had denounced this Bill as unnecessary. It had been said that those hon. Members on his side of the House (the protectionists), who were determined to vote against the Bill, had been influenced by factious motives, but they did not act from any such feeling; they expressed their opposition to the measure because they believed it to be not only unnecessary but unconstitutional. As for himself, he could say he was neither influenced by factious motives nor by party feeling. In giving his vote, the consideration with him was not whether the result of the division would be that the right hon. Baronet should resign office, or that the noble Lord the Member for London should succeed him, being solely actuated by one motive, not to give a vote which he believed would be inconsistent with the interests of Ireland.

LORD CLAUDE HAMILTON, as an Irish Member, confessed it gave him great pain to vote in favour of the measure before the House; still, the necessity of the case demanded that in favour of it he should record his vote. Had he in the whole course of the lengthened discussion which had taken place, heard any argument to convince him that he should adopt a different line of conduct, he would have gladly done so; but the statement made by the Government, and the documents which had been laid before the House, were quite sufficient to show that the state of Ireland demanded a measure which would repress crime, which would put a stop to murder and outrage. It had been affirmed that the employment of a large military power, and the patroling of the police, would have the desired effect. He thought otherwise; and he also thought that such a course, such a military display, would be even more unconstitutional than the Bill which had been introduced by Her Majesty's Government. It had been said, that remedial measures should have been first tried; but on that point he could safely say, that the present Administration had done a great deal in the introduction of measures which were calculated greatly to benefit that people. It might be considered unconstitutional, and it was so stated, to allow people out of their houses in proclaimed districts from sunset to sunrise; but was not such a restriction absolutely necessary for the protection of the lives and properties of the peaceable and the indus-

trious? He had no doubt but such a badge of disgrace would have the effect not only to produce the diminution of crime, but to lead to the apprehension of the perpetrators of crime. Self-interest would so act as to cause the people in proclaimed districts to put away from their doors, and from their localities, disturbance and the promoters of disturbance and outrage. An argument was used that the present state of Ireland had arisen from the evils of legislation. Was that House blameable for the evils of Ireland? Could those evils arise from a vicious legislation? If so, then the whole of the kingdom should be equally affected. As the same legislation was for all Ireland, why did not all Ireland present the same aspect? But such was not the case, as there were parts of Ireland as peaceable and loyal as any parts of the Empire. Were those parts which were disturbed, under one species of legislation; and those parts which were peaceable and loyal, under a different kind of legislation? Certainly not; therefore, that argument did not apply. But the hon. and gallant Member for Armagh attributed the evils which prevailed in some parts of Ireland to the want of the "tenant right"—as if there was some sort of mystic influence in the tenant right; which he denied. But what was that tenant right to which such an influence was applied? He would state it to the House. It was neither more nor less than an arrangement between the tenant that was going out and the tenant that was coming in. The incoming tenant paid a certain amount of compensation to the outgoing tenant for his improvements; but it should be remembered, that the outgoing tenant had also paid his compensation when he first entered into possession. How could such a principle be brought into operation in Tipperary? It would be impossible, because there the tenant in possession gave on his entrance into a holding no compensation whatever to his predecessors. That House could never pass an Act which would establish such a tenant right in the county Tipperary. How could outgoing tenants there expect large sums from the incoming tenants which they never paid themselves? A tenant right, properly established, would be a desirable institution; but while he admitted that, yet he must attribute the absence of crime in Ulster to other causes besides the existence of the tenant right—namely, to the moral and religious habits of the people. It was not their inclination either to commit crime or to violate the law. He made the present allusion to the notion of the tenant right, to remove the impression that the people of Ulster were restrained from crime by any such consideration—the restraint under which they acted was a moral restraint. If the House rejected that measure, they would be giving a bonus for agitation and outrage; as the people would be told that the only way to obtain what they required, would be to commit as many and as glaring crimes as possible.

Mr. C. BULLER deprecated the tone of the speech which they had just heard. With all deference to the noble Lord, he adopted a somewhat childish mode of going into the moral state of the people, and into an inquiry into the extent of the moral condition of the country, to see why such crimes were committed, and which did not seem to be against public opinion. It was not to any moral obliquity in the people that they should look—not to something peculiar in their situation, but to legislation, to ascertain what were the causes of this state of things. He rose the other night to address the House, and he was sorry that he had not an opportunity of making an answer to some parts of the speech, and in some respects the sound speech, of his hon. and learned Friend the Member for Bath. In the year 1833, when he had not been three years a Member of that House, and when he entered for the first time on his political life, he opposed Lord Grey's Government, and the party with whom he usually acted, on the question of the Coercion Bill. Experience since had shown him the wisdom, or rather the correctness, of the course he then pursued. He had hoped that his hon. and learned Friend and himself, when they pursued the same course with respect to that Bill, did so on the same ground; but his hon. Friend, at the end of his speech the other evening, left some doubt on his mind as to the way in which his hon. Friend would vote, for there was something like ambiguity in the terms that he made use of in his argument as to the policy of the course pursued with respect to this Coercion Bill. His hon. and learned Friend said, he was about to take a peculiar view of the question. He thought that his hon. and learned Friend in the course of his speech said, they should legislate for the good feelings and affections of the people of Ireland; but it seemed to him—and he said it with all respect to his hon. and learned—that he most pitiably narrowed the great question, when he

brought in his party allusions, and reduced this question of great importance to one as to which of the two parties was most deeply involved in measures of this kind. On one subject, and that an unpleasant one, his feelings went altogether with his hon. and learned Friend, who could not more thoroughly disapprove than himself the coarse and ungenerous attacks made upon the right hon. Baronet at the head of the Government. Hon. Gentlemen opposite, by their odious imputations, were only arraying the feelings of the country more strongly on the side of the right hon. Baronet. He thought it odious that these attacks should be made and persevered in, without a shadow of evidence. He was glad to see displayed by Gentlemen below the gangway (the protection benches) many proofs of a sound and generous disposition towards Ireland; and he should be disappointed if good to that country did not follow from the circumstances under which it was brought before the country. He must mention the great pleasure which the speech of the noble Lord the Member for Shropshire had afforded him. He was delighted with it, not more from the promise of talent in it, than from the sound and generous feeling which pervaded it. Even the very prolongation of the discussion on the first reading—although he was strongly opposed to the delay—had done good, by directing the attention of the House to the state of Ireland, and inducing all thinking men to give their consideration to this subject. Out of this state of things there might arise a better feeling and a new system of legislation. He wished to state in a few words his objections to the particular Bill before the House. It seemed to him, as a measure of coercion, this Bill was very faulty, and was a servile imitation of former Bills, and was not adapted to prevent the crimes which it was proposed to prevent. They were told the condition of the country was lamentable in consequence of its insecure state, and that the ordinary law could not be put in force. He could understand a Coercion Bill brought forward to threaten the liberties and abridge the comforts of the inhabitants of a district, and to keep them within their houses from sunset to sunrise, to prevent the assemblage of large bodies of the people to commit lawless acts. But from all the statements of crime in the disturbed districts—and on this point he would take the returns made by the police in the present year, as compared with a similar return made during Lord Normanby's Government—that although there was an increase of crime in some years, there was a steady diminution of more serious crimes—crimes of a tumultuous character, such as the arming and assembling of persons in large bodies, rescuing prisoners, and setting the law at defiance, which might seem to justify a Coercion Act. If there was any crime of this kind that had at all increased, it was undoubtedly the stealing of arms; but for this they had to thank their foolish Arms Bill, the object of which appeared to him to be to give notice to the lawless in what houses they were likely to find arms. As a practical man, looking to the bearings of this Bill, he could not see how its provisions were calculated to repress the disorders which it was intended to remove. The argument had almost become a joke, of how they were to prevent mid-day murders by shutting up the people at night; but though this was now a stale inquiry, yet still no answer had been given to the question. Again, no one had answered the obvious objection, how could they collect the proposed payments from the poorer occupiers, whom they had been already obliged to exempt from the payment of the tithe and the poor rate. It seemed to him, in fact, that the clauses of the present Bill were not shaped to meet the objects for which they were intended, and on these grounds he was prepared to oppose the second reading. He did not mean to say, that if it were necessary, as a part of a system of policy to be adopted towards Ireland, to propose coercive measures, that he should in every case vote against them, if they were proved to him to be necessary and sufficient; but he would not vote for a coercive measure simply because it was harsh towards that country. But his objection against this measure went still farther than the mere faults of the Bill. Experience had taught them a far better way of dealing with the crimes of the Irish people—a far better mode of restoring peace and order to that country than the adoption of any coercive measures whatever. He thought that the Legislature of this country should take a lesson from the liberal policy which had been acted upon during six years of the Normanby Administration, and that with the results of that policy before their eyes they should not be so ready to resort to old barbarous expedients, after experience had shown them to be utterly inefficacious. Hon. Gentlemen on the other side were inclined to

sneer at any allusion to the Normanby Administration; but these sneers were never backed by argument, or attempted to be supported by any denial of the results of that policy. When the Marquess of Normanby succeeded to the Government of Ireland, crime was infinitely more enormous and extensive than at present; but what was the plan that Lord Normanby adopted? He endeavoured to win the confidence of the Irish people. He infused the liberal policy of his Government into every department of the State. He entrusted the administration of justice to magistrates and others who had the confidence of the people. He obtained the confidence of the recognised leaders of the Irish, and, above all, he obtained the confidence of their clergy; and what was the result? Why, it was clear as statistics could make it, that whereas Lord Normanby found Ireland in a very disorganized state, during his Administration crime rapidly decreased, until in the last year of the Fortescue Government it had been reduced to one-half of what Lord Normanby found it. When they showed him that such a policy was inefficacious, and that the course which reason and experience pointed out as the best was insufficient to prevent these disorders, then he would say he was prepared to vote for a Coercion Bill, provided it was absolutely necessary and likely to be effective. But he could not pass from this subject without meeting the argument of hon. Gentlemen on the other side. They said, "We admit the effects of the Normanby Government in Ireland, but you are mistaken as to the cause. Lord Normanby and Lord Morpeth did not understand their own Government; it was not by securing the affections of the Irish people, or by giving them confidence in the Administration of the law that tranquillity was ensured;" but hon. Gentlemen ferreted out the fact, that in 1835 there was a Coercion Bill, which remained in force down to the year 1840, and they state that it was entirely to the efficacy of that Bill, which they, however, admit never was brought into operation at all, that the diminution of crime was to be attributed; and, therefore, they say, reasoning logically on these premises, "We intend to return to this policy, for instead of being an argument for your case, it is an additional argument against it." [Colonel CONOLLY: Hear.] He was glad to find from the cheers of the hon. and gallant Member opposite, that he had stated their argument fairly; but it struck him that there was more of moral courage in the use of this argument, than of plausibility in the argument itself. It did not appear to him that the mere existence of the statute, with the practical operation of which no human being had ever been made acquainted, could have such an effect on the Irish people. If such were the case, it would force the House to suppose an amount of wisdom, and of caution, and of public spirit on the part of the Irish assassin and murderer, which would show it to be far wiser on their part to send over some of their wiser Members of Parliament to reason with them, and to talk to them, than to send over a Coercion Bill. He did not think that the cause and effect were so very obvious as some Gentlemen supposed. He believed they were inclined to think that *post hoc ergo propter hoc*. If that were the effect of the terror produced by their Coercion Bill acting upon the minds of the Irish people, the results would appear most strongly immediately after that Bill was enacted. That Coercion Bill was passed, after much discussion, and in one place, he believed, put in operation; therefore, one would naturally suppose that the diminution of crime would have been greatest immediately after the passing of the Act, and that as the terror lessened, crime would increase. Now, if he were right as to his theory of Lord Normanby's real policy of governing the country by conciliating the Irish people, and giving them confidence in the laws, the effect would be exactly the reverse. The tranquillity of the country would advance with the continuance of that policy, which, though it would have but little effect on crime at first, would have gone on from year to year extending its influence, and would have lasted even beyond the existence of the Government by which it was pursued. Now what was the fact? Immediately after the passing of that Coercion Bill, crime in Ireland continued; but it went on rapidly decreasing from year to year. It did not break out again in 1840, and the Coercion Bill expired; but the tranquillity continued during Earl Fortescue's Government, which he might call a continuation of the Normanby policy in Ireland; and still more, it did not cease for two years after the advent of the present Government. From what cause crime afterwards sprung up it was not necessary that he should now inquire. His object was to show that it was absurd to impute the pacification of Ireland,

under the Normanby Administration, to the inoperative Coercion Bill. The cause of that tranquillity was really the good measures which the Marquess of Normanby adopted to inspire confidence among the people in the administration of justice, which had the effect of arraying the population on the side of the law, and in putting an end to the outrages that had previously existed. He must own, however, it did not appear to him that even when they had come to this conclusion, they could flatter themselves with having reached the right mode of dealing with the disorders of Ireland. Admitting the inefficacy of coercion, they had not got to the bottom of the problem which they had to solve. He thought that they must further apply some permanent remedies to prevent these disorders which appeared to originate in permanent causes. It appeared to him a perfect cheat to hold out to the country a hope that any measure connected with the temporary suppression of outrages could have any effect, unless measures were adopted which should reach the cause of those outrages. What was a blunder in the mere adherence to the mistakes of a first view on the part of their ancestors, appeared to him to be, with the experience of the present day, a most culpable neglect. They had repeated inquiries, they had repeated reports of commissions appointed by Her Majesty's Government, for investigating those matters, and all agreed in tracing these outrages in Ireland to what they called agrarian causes; in other words to the entire dependence of the Irish peasant on the cultivation and occupation of the land, to the certain starvation that follows ejectment, and to the tenacity with which the peasant in consequence clings to that spot of ground which, in the wilderness of destitution that surrounds him, is the only resource which he has to look to. This had been followed out in individual cases in all these inquiries; but it was remarkable how thoroughly it was demonstrated by all that they knew of the general history of those particular outbreaks which had taken place in different parts of Ireland at different periods. The disturbances that began in 1761 in Munster, originated in the counties of Limerick and Clare on particular estates, from the misconduct of the agents of those estates. He was not now going into a history of the last events of this kind; but it was of importance that the House should bear in mind that the very outrages with which they had to deal on this occasion, had indisputably originated in individual acts of oppression. He had derived some valuable information on this subject from an author, whom he had in other respects no reason to praise, in consequence of his very loose theory in accounting for all the disorders of Ireland, by ascribing them to certain inherent defects of the Irish race, but who was deserving of credit in some instances from the boldness of his exposures; he meant Mr. Foster, who wrote under the signature of "*The Times* Commissioner." The "Molly Maguires" in Cavan, Longford, and Leitrim, having broken out into outrage, Mr. Foster distinctly stated that they had their origin in cases of ejectment. He said that in the county of Longford, "Molly Maguireism" was traced to a place called Ballynamuck, a village which was destroyed, and from which the population was ejected. In the county of Leitrim, these outrages burst out in a parish called Clune. He then referred to different parts of Cavan, and gave the instance of the Rev. Mr. Beresford, who, in consequence of some transactions of this kind, was obliged to leave the country. He showed that this could not be owing to religious or political feeling, because in the same county Lord Farnham, the head of the Orange party, walked about in such perfect safety that the farmers said, "If a hair of his head were injured by violence, the whole country-side would rise to revenge it." He next went into Roscommon, which was one of the disturbed counties; but he believed it was perfectly notorious that there probably the greatest number of clearances had taken place. It was there that they had recently that horrible case, where Mr. Gerrard turned out some three or four hundred persons, in order to convert the land held by them into pasturage. [An Hon. MEMBER: That was in Galway.] It was on the border of the two counties of Galway and Roscommon. The House should recollect that this transaction of the Gerrard clearance occurred at the very time when the gentry of Ireland were coming to that House demanding oppressive measures at their hands, to suppress the flames to which they were themselves every day adding fresh fuel. He had heard from some hon. Members reproaches against the noble Lord the Member for London for alluding to the connexion between the poverty of the Irish people and these outrages. But it was not the first time that such an allusion had

been made. It was the invariable testimony of speakers of the greatest weight, of travellers of the greatest impartiality and information, and of the Reports of Commissions of that House and of the House of Lords, including that of Lord Devon, that the chief cause of the outrages committed by the poor were the outrages committed on the poor. The poverty of the people, and their total dependence on the land, led to their being oppressed. It was this which made the Irish peasant regard the hardened murderer and criminal as the champion of his cause. It was this which set the peasant against the law, and made him regard that kind of rude law as a protection against the law of the land. It was that which made him shield and protect the families of those who suffered for their crimes, and as had been said, in the touching language of the Report by his hon. Friend the Member for Stroud (Mr. P. Scrope), repeating the words of an Irish peasant, "because, if it was not for them and the like of them, the gentlemen would hunt us off the land like vermin out of a corn-stack." Now, he would admit, for who could deny, that these outrages were a most melancholy instance of depravity; but should they not also look to the root of the evil, and bear in mind the origin of the crimes which they wished to suppress. As long as landlords, to speak in the mildest terms, continued the system of sweeping half a village out of existence, in order to increase a pasture-farm; and as long as this was considered as an undoubted exercise of the right of property, it was useless to expect that the peasantry would be tranquil. The peasant who resisted, and the landlord who abused the rights of property, were both made bad by our bad laws; and it was a duty which they owed to God and to man, not merely to impose temporary remedies, but to go to the root of crime, and to give the peasant that protection by law which he now tried to obtain by the commission of outrage. It was, therefore, that he protested against the palpable cheat of putting forward coercive measures of any kind as remedying enactments for the state of Ireland, the utter absurdity of which was shown to them by fifty years' experience. He felt that the opinions of the Irish people deserved the greatest weight in that House; but he should confess that he did not see how they could put an end to that constant circle of outrages without giving that protection to the people which they had by law in every other Christian country in the world. He did not see how the Irish peasant could love and respect the law which gave him no protection. If they looked around them to other countries, they found that though the condition of the peasantry was different in different nations, still that there was no country in the world except Ireland in which the poor man could be turned out from the soil at the mere caprice of the rich. He would take the large class of population of the Continent, which included France, Switzerland, Belgium, Tuscany, and Prussia, and he found that the peasant was secured in the actual possession of the soil. He might be subject to great poverty, but from absolute destruction he was screened. Again, let them look to England. There the labourer lived by wages; but still he was in truth secured from absolute ruin by the Poor Law, which made the support of the destitute the first charge upon the land. He would take even countries where slavery existed. He would take the United States of America, or the Russian empire, where the peasantry were serfs or slaves; but even here he found that they must be supported by their masters. Again, in the Northern States of America and in our new Colonies, the immense demand for labour, and the scantiness of the population, were in themselves a sufficient guarantee for the existence of the people. Besides, in other countries the rich and the poor were united by kindly associations, and, he might add, by the intercourse of a common religion. But in Ireland they were united, not by law, not by manners, not by circumstances. The agricultural population which swarmed in that country were a body removed from the owners of the soil, from whom they were alienated by sectarian differences and long distrust, and thus, when some Mr. Gerrard thought that his income could be increased by a few hundreds, by the substitution of bullocks for human beings, he had no hesitation in expelling the people from the land they had tilled, and casting them abroad upon the world. This could not happen, either in Carolina, or in Russia. It could not happen here, because the man so turned out would be supported by the Poor Law. Ever since the old Roman noble possessed the power to starve his slave to death, there had been no country except Ireland, where the rich man could turn out the poor without caring what became of them after-

wards. They could not secure tranquillity in Ireland until they gave the poor man protection; and if they once came to that conclusion, the choice of the modes at their disposal was exceedingly limited. No one, he supposed, would propose to reduce the Irish peasantry to a condition of slavery; no one would propose to cut up the estates of the landed proprietors, and divide them among the people. The only other resource left to them, if they had any hope of producing tranquillity and order in Ireland, was by adopting the system which existed in this country. They should give the Irishman the guarantee of an English Poor Law, and of the right of relief, which under all circumstances was the protection of the English peasant. Now, he saw the great difficulty which was in the way of adopting so decisive a remedy for the evils of Ireland, and he would admit that there would be great justice on the side of the Irish proprietors were they to complain that the sudden check which would be produced by our legislation by at once bringing such a law into operation would lead to the confiscation of a large portion of their property. He would, therefore, modify this view by saying that he did not think that the Legislature would be justified in extending the English Poor Law to Ireland without at the same time giving the largest facilities for providing employment for the people. They had heard in the present Session of the great facilities for employment which existed in the reclamation of the vast amount of waste land to be found in that country. This was a subject on which they had very valuable information afforded in the Report of the Commission presided over by the two archbishops, Murray and Whateley, and in which a plan somewhat on the principle of the Bedford Level Commission in this country was recommended. If ever great resources were required in carrying out a measure of this kind, the House should not be unmindful of what had been done to put an end to the evils of slavery in the West Indies, and that if a grant of money was required to put down Irish misery, the House would not hesitate in voting it. They would excuse him for saying that they had a right to make a sacrifice of this kind in repairing their own misdeeds and those of their forefathers, to a nation to whom they had behaved worse than even to the Africans. By restoring tranquillity to Ireland, they would naturally open a field for English capital, and their policy would be facilitated by breaking up the large encumbered estates in that country. To effect that object they should do everything in their power by diminishing the expenses of conveyances, and especially of stamps, and by giving every other possible facility for the division of these large properties into small estates, which would be cultivated by capitalists in Ireland and England. In Ireland there was a great disposition among the people to emigrate, and advantage might be taken of that; and by a combination of all these measures they would produce a very good and very great effect. The root of all this, however, must be the adoption of the English Poor Law and of compulsory relief in Ireland; and, as he had pointed out, they might obtain the cheerful co-operation of the landed proprietors. He looked to this as the direct effect of the introduction of the English Poor Law—the interest which the landlords would have in the improvement of the condition of the people. He had some doubts as to the propriety of a law interfering between landlord ond tenant; and he was convinced that if they introduced the English Poor Law, all these questions between landlord and tenant would be settled to natural satisfaction, and without the necessity of any guidance on the part of the Legislature. Such were the measures from which, if adopted, he could anticipate an improvement in the character and condition of the Irish people. He did not expect that such an improvement as was desired could be effected at once. It was not given to any Parliament by any one legislative measure to repair the evil of centuries of misrule. They had hitherto attempted to govern Ireland in a mode in which no rational people ever did or ever again would govern. They had sought to govern Ireland by means of institutions in which the people had no confidence. They had sought to govern Ireland without asking for, or acquiring the confidence of the leaders of the people; and to those who had won the confidence of the people they applied the term of "agitators." They had sought to govern the people of Ireland by a gentry from whom the people were alienated—by a Church of which they had no knowledge, and in which they had no sympathy—and by a capricious and incomplete delegation of a species of despotic authority, which they (the Government) had found no means of working satisfactorily as a system. They rejected those

who possessed the confidence of the people from their counsels, and they had placed the clergy of the people in a state of degradation most injurious to the order and well-being of Ireland. Those were the very influences by which that country could and should be governed; those were the influences which they should have used; those were the influences which they had sought to weaken, but which they had ended only in strengthening and setting in opposition. And now a fitting close to the remarks which he had made upon the general policy by which Ireland had been governed would be a few words upon the course pursued, in this respect, by the present Government. No one could accuse him of being a very strenuous opponent as regarded the Irish policy of the present Government; the contrary accusation had been brought against him by his friends; and he must be permitted to say, on this point, that the greater part of their legislation for Ireland had been conducted on the worst possible principle, and he regretted to think that some of the measures, good in themselves, which they had brought forward, had lost half their efficacy from the mode in which they had been introduced.

[*The hon. Member was here interrupted by Messengers from the Lords returning with the Corn Bill, agreed to.*]

He could only express his gratification. He thought, too, that it would now be ungracious if, after this occurrence, he said a word more against Her Majesty's Ministers so far as their Irish measures were concerned. He could only deeply regret that the Bill now under discussion should have been an exception to the policy by which, during the present Session, they had so much and so wisely consulted the goodwill of the country. He further deeply regretted that it should have been his fortune, and that of hon. Gentlemen on that side of the House, to be compelled to give, on this occasion, a vote which might be fatal to the existence of the Government. He said this sincerely, from the bottom of his heart, and he did regret that such should be the effect of his vote. Without affecting any adherence to those Gentlemen, he might say he felt acutely the ungraciousness of appearing to select the moment when they had conferred so signal a service upon the nation, at the same time at a sacrifice on their own part—to join in a vote of which such might be the effect, concurrently with those Gentlemen who desired to punish the Government for the good they had done to the country. But he could not help it. It was no fault of his party that this Coercion Bill was introduced. Were the matter other than it was, he would be willing to abstain from opposition to the Government; but any measure marking their policy towards Ireland was of far too serious a nature, and too important in its consequences, to be made the occasion of a compliment to the Ministers. He knew that the right hon. Baronet had looked all this fairly in the face, and that when he came forward with a great measure which would hand him down to posterity, and which at present endeared him to the hearts of the people of this country, he had properly estimated the personal sacrifice at which his object was to be accomplished, the penalty which was to be paid in the loss of power. He had in 1833, when a measure very similar to this was introduced, and when his assent was asked to it by a Minister who had established the most solemn claim to the gratitude of the English people—he alluded to Earl Grey, who, immediately after the passing of the Reform Bill, submitted such a measure to the Reformed Parliament—he had voted against it and against Earl Grey. He now would vote against this measure and against the right hon. Baronet. It somewhat diminished the pain with which he should give this vote to think that, by rejecting this Bill, they would mark an important and a new era in their legislation for Ireland. It would be the first instance on record of the demands of the English Government for coercive power in Ireland being rejected by that House. Let him fervently trust that such a rejection would effectually prevent a similar demand being ever again made from the Imperial Parliament.

[The Lords' Assent to the Corn Importation Bill. — Messengers from the Lords were here introduced, bringing several Bills from the Upper House, among which were the Corn Importation and Customs Duties Bills. Mr. Speaker, amidst profound silence, announced that the House of Lords had agreed to the Corn Importation Bill and the Customs Duties Bills without any Amendment. The announcement was followed by loud cheers from both sides of the House.]

Mr. BANKES said, the hon. and learned Gentleman who had just sat down

observed that if the present measure were rejected it would be the first time that a demand for coercion to Ireland had ever been refused; but he (Mr. Bankes) could, with equal truth, say it was the first time the demand had been made under circumstances of such a nature. An intimation of the necessity for coercive measures was mentioned in Her Majesty's Speech from the Throne, and yet they were called upon, between five and six months after, to vote upon the second reading, when it might be said the opinion of Members as to the principle of the Bill was first tested. By voting for the first reading they had not sanctioned the Bill, for it was the custom to allow Bills coming from the other House to be read a first time; and, besides, it was a stage of the Bill upon which discussion seldom occurred. There was, in short, no express sanction of the measure in voting for the first reading; but, on the contrary, it was consistent with the usages of the House to allow the Bill to be advanced that stage without opposition. It was altogether a new proceeding on the part of a Government to bring forward a Bill for a second reading five months after the Royal Speech announced its necessity—to bring it forward to receive for the first time the sanction of the House of Commons as regarded the principle it embodied. The hon. Member for Montrose had expressed his surprise that the Government should persevere in the measure. He (Mr. Bankes) joined in that surprise; and the more so because he believed the Government had not the slightest idea of carrying this measure into a law, even if they they succeeded in carrying it one step further than it had been carried. It is perfectly idle to use any kind of circumlocution (said the hon. Gentleman); we all believe that the Government is on the eve of dissolution. We all know, we all feel, that the Cabinet is perishing by the slow process of self-combustion—that, in fact, it has not more than three days to live; and, under such circumstances, with such knowledge and with such belief, can we honestly give our support to the second reading of a measure of so important a nature as the present? But suppose the Government succeed in obtaining a majority upon the second reading to-night, what will be the use of it? The public know full well that the Government cannot last many days; and the Government which will probably succeed them are pledged to a precisely opposite line of policy as regards the government of Ireland. If they were sincere in saying that the moral effect produced by the defeat of this Bill would be injurious, how can they possibly urge us to take this step? If a defeat of the Bill will prove disastrous as regards our policy towards Ireland, would not a defeat now be more disastrous and fatal? How can it be made more hurtful, than, as regards moral effect upon the people of Ireland, for one Government to force it to a second reading, with no hope or belief of carrying it further, and the succeeding Government to repudiate it altogether? What must the people of Ireland think of such policy as that?—and into what condition are the Protestant representatives of Ireland put, who have, up to this time, supported the Bill, from a conscious belief in its necessity? It must be evident to every one they were placed in a most unpleasant position. He could not conceive how any Government could justify themselves in placing Parliament and the Irish people in such a position. He (Mr. Bankes) had determined to give the measure his sincere support when introduced by the right hon. Gentleman, for he believed the Government were perfectly sincere in putting it forward, and he would still continue to support it, had he continued in the same belief. But what were the real facts of the case? A Bill had been introduced into the Upper House five months ago, and one of the strongest grounds for urging it, was the immediate exigency there existed for its adoption. He was always unwilling to refuse to the Executive Government of the country such powers as it deemed expedient to repress outrage and to restore tranquillity. Therefore, he repeated, when first the measure was announced, he and those who acted with him were willing to give it their cordial support, whatever might be their differences upon other points with the Government. And here he might relate a circumstance which, although of a private nature, yet, as it was connected with important effects as regarded himself and his party, he might perhaps take the liberty of mentioning it to the House. Very early in the spring, he happened to meet Mr. Brewster, Solicitor General for Ireland; they entered into conversation, and Mr. Brewster expressed an opinion that he, and those with whom he acted, would vote against the Coercion Bill. He told Mr. Brewster that he was entirely mistaken; that if the Government proved themselves sincere in carrying out

the measure, they would feel themselves bound to support Government. He added, that although there were many points upon which he and his party disagreed with the Government, as they had no chance of removing the Government from power, they would not refuse to strengthen the hands of the Executive. That conversation he mentioned on the following day to the noble Lord (Lord George Bentinck) who, on the same evening made a statement to the House calculated to remove the impression under which the Government seemed to labour, and called a meeting of those friends of his who acted together in order to ascertain their opinions. At that meeting the same impression prevailed as that which he had before remarked—namely, that as there was no chance of removing the Government from power, they would not refuse to grant the Executive those powers which it deemed necessary to restore tranquillity to Ireland, provided the Government proved themselves sincere in carrying out the measure. The right hon. Baronet the Secretary of State for the Home Department said that nothing would have induced him to bring forward a measure granting such unconstitutional measures, but necessity—but its imminent exigency. The noble Lord the Secretary for Ireland (the Earl of Lincoln) used observations to the same effect. The right hon. Gentleman (Sir J. Graham) said it was a case to be tried by evidence. He agreed that it was so. Who were the witnesses? He would select them from the Treasury benches. If the Members of Government really believed, as they at first stated, that the safety of a portion of the Empire was in peril, and that the present measure was calculated to restore order, would they have delayed five months before they brought on its second reading in the House of Commons? Well, then, what other evidence was there? He would call upon the Members of the five counties to which the Bill was to be applied, and they would to a man declare their belief in its insufficiency, and in short, they would vote against it. As to the details of crime, and returns of outrages, presented by the Government, he did not think, after the calculations which had been made upon the "Irish famine," that they could be called upon to place much reliance on them. He said again, that he and his party were perfectly sincere, and determined to act by the determination which the noble Lord the Member for Lynn had been authorized to make, and in which his noble Friend correctly represented their feelings upon that occasion; and, whatever unpopularity it might have entailed, they would have acted in strict accordance with it. His party was not disposed to be trifled with, however, and when they saw the manner in which the Bill had been delayed and postponed, they felt that the main argument for its adoption, "its immediate exigency," had passed away, and they could not bring themselves to confer powers so strong, so arbitrary, and so foreign to the British Constitution, upon a falling Government. The right hon. Baronet (Sir J. Graham), in his speech the other night, said that they ought to separate the vote of censure upon the Government from the vote upon this Bill. The hon. Member for Birmingham (Mr. Spooner) appeared to concur in this opinion. Now, he would place the hon. Member in this dilemma. If he were to propose a vote of censure to-night, would the hon. Member be prepared to vote for it? If he said he would, then he would ask, why should they intrust into the hands of men with such vacillating principles such dangerous and unconstitutional powers as were contained in this measure? If they were prepared to vote for an Address to Her Majesty, praying Her Majesty to remove the present Ministers from Her Councils, should they consent to place in their hands powers that were acknowledged to be unknown to the British Constitution? Such powers should only be intrusted to the hands of men who enjoyed their unbounded confidence. He would wish to ask the Government this question, whether there had been any period between the time they introduced the Bill and the present moment, that if they had the Bill in operation they would have carried it into effect? Would they, in any month between the opening of the Session of Parliament and the present period, have called the provisions of the Bill into effect? If they would have done so, where was the excuse for delay? If they would not have done so, there could not have been any pressing emergency. They were told, moreover, that the Bill was in itself of an irritating and offensive nature to the Irish people, and that any benefit that could result from its enactment would be more than counterbalanced by the evil that it would most assuredly engender. Since there was no direct necessity for the measure, he asked them to pause, and consider whether something might not be devised less irritating

and less offensive, but still powerful to meet the evil, and he trusted to permanently subdue it. He was sure that, whatever Government might succeed the present, they would consider it to be their duty to keep a watchful eye upon the state of Ireland; and if, in the autumn of this year, Ireland should unhappily become the subject of anxiety, he was convinced the succeeding Government would do what the last Government ought to have done, namely, call Parliament together in the autumn, and seek at once advice how to act, and efficient powers to carry out whatever measures might be considered most conducive towards the restoration of tranquillity. The noble Lord the Secretary for Ireland (Lord Lincoln) had told them that it had not been newly discovered such measures were required, but that some time since the Government felt they required to be entrusted with the powers they now sought to attain. Now, he said that if the Government did feel such want of power in the autumn of last year, such fact proved that they ought to have called Parliament together, and sought for power to tranquillise the country. It had been said by the hon. and learned Member for Bath, that those who belonged to the party with whom he (Mr. Bankes) acted would desert their principles if they voted against the further progress of this Bill. ["No!"] He did not presume to quote the actual words of the hon. and learned Gentleman, but the hon. and learned Gentleman had said something to that effect. [Mr. ROEBUCK: He had never made any such statement.] The hon. Member said, he never made such an observation; but he understood the hon. and learned Member to have done so. But what were the facts? Now it did so happen that he had never in the whole course of his life voted for an Irish Coercion Bill. He felt that a measure of this nature ought to be weighed with the utmost anxiety, and calmly and considerately deliberated upon, and that when Government called for greater powers than the Constitution at present provided, a great responsibility was incurred on the part of those who refused them. If those powers had been asked for in the way that he thought they ought to have been demanded, if they were required, he would not have undertaken the responsibility of refusing them. But when he heard from almost every quarter, that the apprehended danger was not as imminent as it was represented to be, and when the Government were on the eve of the disruption of their power, he confessed that he could not consent to give them such power as they now demanded at his hands.

MR. SPOONER said, as the hon. Member had made an appeal to him, he could assure him he felt no difficulty whatever in answering it. The hon. Gentleman thought he had placed him in a dilemma. He did not consider that he was placed in any such dilemma. He asked him whether he was prepared to vote in favour of a want of confidence against the Government, and afterwards to intrust the same Ministers with these unconstitutional powers? He did not rest his support of the present measure on the statements of Ministers. If his hon. Friend the Member for Dorsetshire appealed to the want of energy or zeal displayed by the Government, or their delay in carrying this measure, as his evidence of its non-necessity, he would appeal to the documents on the Table of the House as proofs that this measure was essentially necessary for the preservation of life and property in Ireland. His hon. Friend said that the Irish Members had declared this measure not to be necessary. But there were Irish Members on the Conservative side of the House who said that it was necessary, and who told them that the effect of refusing that measure would be most disastrous; that it would be an encouragement to crime; and that, in fact, they dreaded much the consequences of such a refusal. An hon. Member representing a place in Ireland had lately told him that the consternation felt amongst the well-disposed and orderly portion of the population of that country in the event of the rejection of that Bill could not be described. They believed it would afford a triumph to one party in Ireland, at the same time that it would strike another with dismay, and that the consequences would be such as they could not anticipate. The Irish Conservative Members who had supported them in their struggles for the protection of native industry, and who had a just claim to their consideration, were struck with amazement when they heard the noble Lord the Member for London announce his intention of voting against this measure. For his own part, he had given to the present measure his calm and deliberate consideration; he had seen the attention of Parliament called to it in the Speech from the Throne; he had seen it introduced into the House of Lords, and come down to them sanctioned

by the unanimous consent of the upper branch of the Legislature, with the consent of many noble Lords of that House who usually acted in concert with the noble Lord the Member for London. He agreed generally with the principle laid down by his hon. Friend the Member for Dorsetshire, that the fact of voting for the first reading of a Bill did not necessarily oblige one to vote for its subsequent stages. But the first reading had been affirmed after a debate of four or five nights. That first reading having taken place, and having voted for it under such circumstances, he felt himself bound to examine whether anything had since occurred which would justify him in changing the vote which he had then given. ["Hear, hear!"] He understood that cheer from an hon. Member near him, and it meant that the delay of the Ministry in passing that measure was a sufficient justification for not voting for the second reading. But he thought the five nights' debate which took place before the first reading furnished sufficient proof that the measure was necessary for the preservation of the peace and the protection of life and property in Ireland. The noble Lord the Member for Lynn had said that the blood of all the murdered persons in Ireland would rest on the head of the Minister who delayed this measure. Might it not also rest on the heads of those who caused that delay? He did not give his vote on that occasion with a party view. When he could not vote for the Minister to keep him in power on another question, he would not vote for that to turn him out. He would never consent to make Ireland the battle-field of party. He voted for the present measure only because he believed it to be necessary and called for. But he would ask his hon. Friend the Member for Dorsetshire one question, and it was this: Supposing he did not vote now in favour of this measure, because of his want of confidence in the present Administration, was he prepared to give a vote of confidence to the noble Lord opposite, the Member for London? Or had he forgotten that noble Lord's propositions with respect to the Irish Church, and the Appropriation Clause? Had he forgotten that the noble Lord's policy in Ireland had been concessions to a party every grant to which had only furnished inducements for fresh demands? The moral effect of the present measure's passing the Lords, and having been read a first time with a majority in that House, had been the means of stopping the progress of crime in Ireland, if it had stopped. But they were bound to look forward to the approaching winter and the season when want of employment might again make such a measure necessary. Therefore, it became Parliament not to separate without considering the case of Ireland. An hon. and learned Member opposite had a Motion on the Paper, as an Amendment upon the question of the second reading, for a Committee to be appointed to consider the condition of Ireland, with a view to the adoption of some remedial measures. Now, if the hon. Member brought that Motion forward as a substantive one, and not as a Motion for delay, he would give him his hearty support; nay, if it had been found advisable to give a grant of money for the employment of the people, the reclaiming of the waste lands, or any other useful measure of improvement of Ireland, he would support any Minister who would recommend the same. But they should take the case of that country into their consideration; and he was sure that whatever they did for the good of Ireland would be appreciated by a brave, a generous, and a grateful people.

Mr. SHEIL: Sir, necessity is sometimes the best plea of a good Government —of a bad Government it is very frequently the very worst pretence; and that it is in the present instance a pretence, and not an argument, I have risen for the purpose of proving; for it is my thorough persuasion that the criminalities of Ireland ought to be attributed to that moral distemper of which a Government utterly destitute of the confidence and support of the people, never fails to be productive. I shall have occasion, in following up this view of the question, to animadvert upon the policy pursued by the present Prime Minister in reference to Ireland. It has often been my misfortune to have thought it my duty to do so; but, in doing so, I have never forgotten that it is to the right hon. Gentleman himself that I am indebted for the privilege of pronouncing his condemnation to his face; and that, from this lofty level, where the Irish Catholic and the English Protestant are placed in an imperial parity together; and as, in his highest and most palmy state, when he stood at the head of that great Conservative party which it cost him so many years to construct, and which, in a few months, he has reduced to such utter dilapidation, I have always endeavoured to avoid, and I hope I have suc-

ceeded in avoiding, the use of any phrase which could be justly considered as wantonly offensive; and now that the right hon. Gentleman has undergone some apparent and temporary change of fortune—now that, in his descent from his meridian, a cloud, tinged perhaps with light, but still a cloud, is passing over him—it shall be my peculiar care that the language of strong animadversion shall be dissociated from disrespect. I do not despair of the right hon. Gentleman—I entertain a hope that he who has had the virtue and the courage to dash to pieces that sliding-scale which it cost him so much fruitless ingenuity to elaborate, will recant his Irish heresies at last, and to his celebrated inconsistencies will give a glorious consummation. But, perhaps, I have used an infelicitous expression; true consistency does not depend upon a servile subserviency to your own fallacies, or to the passions of your party. The truly consistent statesman does not so much consider what it has been his mistake to have done, as what it has become his high duty to do. He does not look back at his own yesterdays, but looks forward to his country's glorious morrow. The welfare of that country is not his chief object only because it is his only one: fixing his eyes on that solitary point, bright, eternal, and unsetting—however the wind may blow, and however the current may set, by that immutable light he steers his apparently irregular, but, in truth, undeviating course. Having performed the pleasurable office of hypothetical panegyric, I come to the discharge of a distasteful task—that of finding grievous fault with the Irish policy of the right hon. Gentleman. When the Catholic question was adjusted, I do not doubt that the right hon. Gentleman was fully resolved to carry out the principle on which the enfranchisement of millions of his fellow citizens rested; and that, provided he had remained in power, he would not have tried to stunt the growth of that principle, or to impede its development into those obvious results into which it must at last inevitably expand. The speech pronounced by the right hon. Baronet on that great historical occasion was a wise one, and deserves to be referred to for purposes far higher and more germane to this question than those for which it has been cited. The right hon. Baronet, in a passage of which the authenticity will not be disputed, entered into an enumeration of the various instances in which coercive measures have been resorted to since the Union, and expressed the honest hope that the time for measures of that character had passed away for ever. Driven from office, however, in the succeeding year, he united himself with the most unmitigable antagonists of Ireland. with the men who had said of him, in Virgilian citation, what in English more than ordinarily downright has been said of him, not only here, but in a place technically called "nether," by a noble and very peculiar Friend. The phrase borrowed from that noble person's familiarity with the practices at the Derby, is feeble when compared to that recently applied to him by the right hon. Gentleman. A reconciliation—(how amiable is the desire expressed by the noble and accomplished Lord the Member for South Lancashire that a second amnesty should be negotiated!)—but a reconciliation having been effected, the right hon. Baronet conceived it to be consistent with his sense of public duty to accommodate himself to the sublimated Protestantism of his Parliamentary associates on the Speaker's sinister side, and to adopt the policy which was prescribed to him from the cloisters of Oxford, and the heaths, the exceedingly barren and desolate heaths, of Kent. He accordingly did his utmost (shall I say his worst?) to "obstruct"—a word once pronounced so emphatically in this House, and which still rings in my ears—to "obstruct" the Whig Government in their endeavours to carry out the principle of emancipation, and to enlarge the political rights of the Irish people. On Monday last my right hon. Friend the Member for Taunton—provoked by an exceedingly unprovoked aggression—preferred that charge, and that charge can be most readily established. It will be sufficient to refer to two examples—the Irish Municipal and the Irish Parliamentary Registration Bills. You have recently announced it to be your intention to assimilate the municipal laws of England and of Ireland. For this intimation, however tardy, you deserve praise; but what a satire is your present upon your former conduct? The Irish Registration Bill is a still greater discredit to you. Lord Stanley and the Secretary for the Home Department having left their party, and gone over to Conservatism, with all the emotions by which conversion is proverbially distinguished, the right hon. Baronet was induced to associate himself in a project for the annihilation of the constituencies of Ireland. Perhaps the purpose of that project was

the disturbance of your political antagonists, for as soon as you came into power you flung Lord Stanley's Registration Bill aside. Session after Session the Secretary for the Home Department has promised a Registration Bill. The law is in a state of most injurious ambiguity. The Longford Committee, of which Lord Ashley was the chairman, made a unanimous report that the settlement of the question was indispensable. We are on the eve of a general election, and now, in the sixth Session of the present Parliament, instead of a Bill to adjust a subject by which Ireland continues to be agitated—a measure, admitted to be one of the most rigorous and unconstitutional character, even by its originators and abettors, is brought forward by the Government. But to return to my rapid narrative of the events which have brought about the present state of things in Ireland. The right hon. Gentleman having been placed at the head of Her Majesty's Councils, found himself surrounded with difficulties of his own creation. He became entangled in the web in which he had caught the Whigs; but he was perplexed in the inextricable maze which he had spun out for himself. He was forced to select as Colleagues men who were objects of peculiar disrelish to the Irish people. One of them has, it is said, repented of a very unhappy phrase, and Lord Chancellor Lyndhurst has relapsed into Mr. Serjeant Copley; but the phrase that escaped him is not forgotten. The bow is unbent, and the string relaxed; but the deadly shaft adheres. The right hon. Baronet was under great obligations to the Irish Members of Parliament; and while they were hot and reeking from the encounters of faction, he promoted them to place in which calmness and impartiality are especially required. He endeavoured to countervail his doings by his sayings; but although we are told by Shakspeare that "it is a kind of good deed to say well," between his doings and sayings there was an antithesis so marked that his professions excited the alarm of one party, without creating the confidence of the other. Seven millions went into opposition. Two-thirds of the Irish Members, every, man in Ireland belonging to the liberal party who could write with exciting force, or speak with contagious fervour, the whole of the liberal press, the whole of the Catholic hierarchy, the Catholic priesthood to a man, were arranged against his Government. It was impossible that, under such circumstances, he could succeed. Agitation burst out with unprecedented violence. The Repeal magistrates—miserable expedient!—were dismissed. A bad measure was rendered still worse by the forensic subtleties and Lincoln's-inn sophistications with which it was defended. Then came the monster meetings, which lasted for nine months, followed by the monster prosecutions, insidiously conceived and conducted in a spirit of oppression. The world beheld the leader and the liberator of a Catholic nation tried by the Protestant grocers and the Protestants tanners whom you had the presumption to call his peers, and that under the auspices of a Prime Minister by whom Catholic emancipation had been carried, and the English Special Jury Act had been reformed. At last the long series of ignominious proceedings terminated in a discomfiture of the Government, of which there is no former example—terminated with a denunciation pronounced by the Chief Justice of England, from the highest seat of judicature in the world; and in the conversion of the porch of a prison-house into an arch of triumph, through which the most remarkable man in Europe, whom you had the temerity to call a convicted conspirator, was given back to the embraces of an enthusiastic and devoted people. Yes, the liberator of his country, whom you called "a convicted conspirator"—and you have reason to lament the phrase—was brought back to the embraces of a grateful country; and no man who rightly values freedom will blame me for standing up before you to say that. Such is the sketch of your Government up to the year 1844. From that time te this the Government has existed but by name in Ireland. How was it possible, when justice had committed suicide, when authority had perpetrated a felony upon itself, when those who were entrusted with the enforcement of the law had brought it into scorn—how, I say, was it possible, when these events affected all other classes —that their influences should not reach to the lowest class of the community; that when the moral atmosphere was thus charged with contagion, the poor peasant should remain unaffected; and that in the midst of the general turbulence, the hurly-burly into which the country was cast by the Government, they who have the greatest grievances to complain of—they who groan beneath the wrongs which we are told by the highest of all authorities make the wise man mad, should not break out

into those excesses for which an incarceration after sunset is prescribed, with all the pertinacity of baffled empiricism, as a sovereign and unfailing cure? I have shown you that your Government (if Government it can indeed be called) has produced disorder. I will show you that a Government constructed on different principles has been fertile of peace. Compare the results of your Government in Ireland with those of Lord Normanby's Administration. How was that Administration constituted? Lord Normanby, beloved by the Irish people, was the Lord Lieutenant—the Chief Secretary, an object to all that knew him, of affectionate respect, was Lord Morpeth. You, Mr. Speaker, will pardon a breach of order, when, for the purpose of panegyric it is almost sufficient to give utterance to a name. The Under Secretary was Mr. Drummond, who, not born in Ireland, was more than an Irishman in his love of Ireland, and who, at his own and last request, lies buried in the land for which he died of intellectual toil. The office of Attorney General was held by the two great ornaments of the Catholic bar, Sir Michael O'Loghlen and Chief Baron Woulfe; they, too, loved, lost, lamented, have departed from us. Such was the Government of Ireland under Lord Normanby's Administration. That Government was in sympathy with the people. It was trusted, obeyed, beloved by the people. Between the Government and the people there were innumerable conductors, through which there was a constant effluence of the most kindly feelings. The Government was sustained by the vast majority of the representatives of Ireland, by every man of name in the Catholic body, by the whole of the Catholic press, by every Catholic bishop, by the entire Catholic church in Ireland: every priest was an unpaid constable of police—for they are the true conservators of the peace, without whose aid the Government of Ireland never can be carried on with success—and the result was social and political tranquillity. But lest you should conceive that I am speaking of Lord Normanby's Government in the language of exaggerated praise, I shall produce an English witness by whom all that I have been telling you was calmly surveyed, and who has borne the same attestation, though given less fervidly than by myself. The book that I hold in my hand is one of singular ability. It is entitled "The Past and Present Policy of England towards Ireland." It is written by a man who appears not only not to have any prejudice against the right hon. Baronet, but who speaks of him in the language of high panegyric, founded upon his anticipations of what in his final conversion he may do for Ireland. The writer says (page 220)—

"Lord Normanby was appointed Lord Lieutenant of Ireland; and, notwithstanding the abuse and attempts at ridicule which have been so unsparingly heaped upon his Administration, I believe that Ireland never saw one more fearless, honest, and useful. It may suit party purposes to accuse him of hunting after popularity, or of making undue concessions to O'Connell and the Catholics; but he has the undeniable fact to plead in reply to all charges and sneers, that Ireland never made more rapid improvement than during the four years of his vice-royalty. He went there determined to govern in a spirit of justice, impartiality, and firmness; and the confidence he inspired did more than any coercive measures had ever been able to effect towards reducing the country to a state of order and peace. For the first time the Irish Catholics began to feel that the Government really cared for their interests, and was disposed to make the welfare and prosperity of Ireland the principal object of its solicitude. Under his Administration the amount of crime largely decreased, prædial outrages became less frequent, the fierce feuds of the peasantry were discontinued, and the mass of the people grew more civilized and humane. Catholics and Protestants were employed without distinction of religion, and between 1835 and 1839 the repeal of the Union seemed to be almost entirely forgotten or discarded."

After speaking thus, the writer states, in a note, a fact which is far more valuable than the highest wrought and most elaborate encomiums:—

"A very remarkable address was presented to Lord Normanby from the town of Mallow. 'We stand before you,' they said, 'in number amounting to above one hundred thousand—the greater part of us own ourselves to have belonged to that party who advocate the repeal of the Union. We thought the only remedy for Irish evils was a recurrence to a domestic Legislature; but the experience we have had of your Excellency's wise, just, and paternal Government has taught us otherwise, and we tender to your Excellency our solemn abjuration of the question of the repeal of the legislative Union, and of any other question calculated to produce an alienation of feeling between the inhabitants of Great Britain and Ireland.'"

I will not spoil the effect of this speaking fact by any expatiation upon it; but having shown you that it is to the state of the Government that the state of the country is to be mainly attributed, I proceed to investigate, in another point of view, the necessity of this measure. No sort of answer has been given to the charge, that your own retardations of this Bill afford a

proof that you do not consider this measure to be required. If you considered this Bill to be indispensable to the repression of atrocity; and that murder, except by some such measure, could not be stayed in its career; wherefore did you not, with such impressions—and this question has been asked before—call the Parliament in November? Was it that you are so partial to country gentlemen that you did not wish to interrupt the hunting season here, even in order to stop the Nimrods of Tipperary in the pursuit of their favourite game? But after the Parliament had assembled, why allow one month to elapse before your Bill was introduced into the House of Lords? It was surely ready. It only consists of three pages, and a Coercion Bill would be produced as an *impromptu* in the law-office of the castle; they are *improvisatores* in oppression there. But when the Bill had been read a first time in this House, why did you not proceed with it? The Secretary of State for the Home Department had declared it to be of the most imperative necessity and of the most immediate and instantaneous need. You ought surely to have imposed a protection for life, before you took off a protection for corn. Indian maize had been admitted into Irish ports, and a precedence to what has been called the Irish Assassination Bill ought to have been given. Thus your own procrastinations refute your protestations: you are silenced by the almanack; and by the dates of your proceedings on this measure, the necessity for it is demonstratively disproved. But, independently of the strong argument derived from your having so often come to a dead halt in your march of coercion, it is sufficient to look into the Speech composed by all the Ministers for the Queen, and into the statement delivered by one of the Ministers for himself, in order to see that the allegation of necessity is utterly untenable. It is stated in the Speech from the Throne, that the crime of deliberate assassination had been of late (mark the pregnant words "of late") frequently committed in Ireland; and the Secretary of State for the Home Department stated when he introduced the measure, that disturbances existed in five counties; but still—mark this—that the great mass of the peasantry were untainted, and that the outrages were the work of a few ruffians banded together. That is the statement of the right hon. Baronet himself, and he cannot now recede from it. This is your case, and it is sufficient to state it in order to destroy it. Because murders have been committed of late in five counties by a few organized ruffians, without sympathy on the part of the peasantry, you propose to incarcerate the entire population—mark—not only of a disturbed but of an adjoining district, free from all disturbance, and to mulct the whole mass of the occupiers of the soil with the costs which the working of the iron apparatus of this measure will involve. The measure has been called temporary; but I ask has a case been made out for it, even if to last only for a year? Above all, has a case been made out for its original construction? For when the Bill was first introduced in the House of Lords, it was made perpetual; it was intended to impose it as an everlasting fetter upon the Irish people; it was to be incorporated with the institutions of the country; moulded, interwoven with her consitutional system. True, the Government were forced to abandon that scheme; but although they were forced to abandon it, the *animus* was disclosed; the spirit was made manifest, and the sin of the volition is as great as the guilt of perpetration. I pass from the Secretary for the Home Department to the noble Lord the Secretary for Ireland. I listened attentively to his speech; it consisted of little more than a catalogue of Irish offences. I am not disposed to dispute the accuracy of his statements; but the great and cardinal defect of his speech, as well as of the speech of every other Minister, was, that while he expatiated upon the malady, he did not point out the efficacy of the remedy. Have you attempted to show how this measure will repress crime in Ireland? How can nocturnal coercion prevent diurnal atrocity? If you lock up the owls, what will you do with the falcons? Your Irish Coercion Bill will be as great a failure as your Irish Arms Bill. The noble Lord made a candid confession—he said that the Irish Arms Bill had utterly failed. The Secretary for the Home Department smiled at the simplicity of the noble Lord in making a confession so incautious. He seemed to think that the noble Lord had just come in a state of nature from "the woods and forests;" and that he stood greatly in need of one of those deep and finely-wrought integuments of the mind with which the wardrobe of the Home Office is so abundantly and so usefully supplied. But how important is

the admission that the Irish Arms Bill has failed? We all recollect how strenuously that Bill was pressed by the Government, who seemed to think that in a branded blunderbuss a panacea for the evils of Ireland had been discovered; and how vehemently it was resisted by the Irish Members. The debates engrossed half the Session; two or three volumes of *Hansard* are occupied by them; and the progress of all useful measures was most detrimentally interrupted. Well; the Bill was carried—it has been in force nearly three years, and now it is confessed by the Irish Secretary that the Bill is not worth the parchment on which it was engrossed. You conceived we were influenced by factious motives in our opposition to that Bill; but now we rest our present predictions upon the fulfilment of our former vaticinations, and we tell you that this Bill too will fail. And surely you ought to give credit to the Irish Members for knowing something about their country; and should it not occur to him that he should attend to the forewarnings of those whose former predictions have been fulfilled? The very fact of the majority of Irish Members being opposed to this Bill, ought to be conclusive against it. That just view was taken by my hon. Friend the Member for Pontefract, who in a very able speech, that does honour to his intelligence and to his feelings, insisted that on questions exclusively relating to Ireland, the Minister ought to attend almost exclusively to the wishes of those whom Ireland has deputed to assert her interests and vindicate her rights. Else, where is the use of our being here if by English majorities we are to be for ever overwhelmed? Who are the Irish Members who support, and who are they who resist this measure? The Recorder of Dublin, to be sure, has been ancillary to the Prime Minister; and he has promised to vote for the Bill, saying at the same time that it would be utterly useless; but I hope that from his dialectics you do not form a judgment of the school of logic in the University of Dublin. To him I oppose the hon. Member for Dundalk, one of the gentlemen selected as a Commissioner on the Landlord and Tenant Commission, possessed of considerable property, with great opportunities of knowing Ireland. In a speech of great ability and moderation, he pronounced the condemnation of this measure. I believe that my hon. Friend the Member for Londonderry, also a Commissioner selected by yourselves, takes exactly the same view. It will be strange if the considerations suggested by these facts will not weigh with those English Members who are really anxious to arrive at a just conclusion with respect to the merits of this measure. If I am asked what remedy I would suggest for the evil, my answer is this—a better administration of the law. I will take as an instance the county of Tipperary. The Crown Solicitor does not reside in the county—he visits it twice a year, and gets up his cases extempore. Of the defendants, of the witnesses, of the localities, of the means of obtaining information, he knows nothing. The briefs are handed to lawyers, generally appointed from party motives, and opposed by counsel for the accused of far greater talent. The result is, that for these and other reasons, of which the specification would be inappropriate, the administration of the law is most miserably conducted. The noble Lord is not, perhaps, aware that at the sessions where an excellent assistant barrister (Serjeant Howby) presides, assisted by a most skilful local solicitor, the innocent are never prosecuted, and the guilty never escape. The consequence has been that the crimes within the jurisdiction of the assistant barrister have been in a great measure suppressed. You have again and again appealed to the evidence of Mr. Cahill. But you have not cited, and, I believe, have not read, the most material part of it. Hear the following extract from the witness quoted so often by yourselves:—

> "What were the circumstances which put an end to the riots? The circumstances which put an end to the riots were the superior administration of justice in regard to those affairs, and also the disposition which was created among the people, in consequence of a feeling to co-operate with the Government then in power, and not to embarrass it by continuing those disturbances."

There lies the whole case. But suppose that you could succeed in the infliction of temporary peace; and that, by the means which you propose to adopt, you could put back the local and external symptoms of a deep and pervading disease, are there no political considerations to be taken by you into account? Are you to dismiss from your thoughts the extent to which stimulants will be applied by you to the agitation which you so vehemently reprobate, but which you have taken such imperfect means to assuage? There never was a moment when it more behoved the Parliament to consider the political effect with which any measure proposed for Ireland

will be attended. Never was more caution required. The repeal of the Corn Laws ought to make you pause before you administer to the popular excitement. Let me explain myself in this. There are in Ireland two powerful classes—the proprietors of the soil, who hold in fee under a series of military subjugations, and the mass of the people, of whose intelligence, whose energy, and whose power the development has been so rapid. You have contrived in the course of this Session to alarm the interests of the one, and to awaken the passion of the other. I am of opinion that the repeal of the Corn Laws will be ultimately conducive to the good of Ireland, because the prosperity of England must contribute to that of the sister island. The overflowings of your opulence must ultimately extend to us. The Irish Protestant gentry, however, take a different view; they conceive that you are doing them wrong—that you are breaking the word of Mr. Pitt—that by depriving them of their exclusive market, and putting Belgium and Holland upon a level with Ireland, you are loosening, if not cutting, one of the ligaments by which the two countries are fastened togegether. It must be confessed that there are many amongst them whom the repeal of the Corn Laws will materially affect—the fall of rents will be a death-blow to mortgagors, and many a Cromwellian gentleman who now totters beneath the load of incumbrances, after staggering on a little, will fall under the burden of which the repeal of the Corn Laws will not fail to produce an aggravation. In this state of things, while you are thus alienating the Irish Protestants, on whom the present Government have most injudiciously relied for their sustainment, how impolitic it is to enact, as a companion to the repeal of the Corn Laws, a Coercion Bill, by which you will exasperate the great body of the people! The Secretary at War, in the course of his speech in one of these discussions, employed the words, "dismemberment of the Empire." My hon. Friend the Member for Kilkenny, whom a spark is sufficient to ignite, took fire at the phrase. He has no more notion of dismembering the Empire than you have. The Secretary at War explained; and stated that he did not mean to insinuate that the advocates of repeal intended to assert the dismemberment of the Empire; but that he conceived that the separation of the two countries would be the result. If this be your opinion—if you think that the repeal of the Union would break the Empire into fragments—that both countries would be engulphed in a common ruin, surely it behoves you to avoid with the most solicitous care everything that can afford a justification to those who have devoted all their energies to the achievement of that measure. The Prime Minister has declared that he could not put down agitation by force. That declaration was most important, and was considered by many to be most strange. But if agitation is not to to be put down by force, wherefore excite and invigorate it by this most offensive proceeding? Why furnish to the champions of Repeal the opportunity of saying that you are the violators of the compact between the two countries, when you enact for Ireland a measure which no Minister would be sufficiently venturesome to propose for the suppression of disturbances in this country? The noble Lord the Member for South Lancashire, a man of great talents and most amiable disposition, told us, that in England such a measure could be adopted. I assert the direct reverse, and I rest my conjecture of what you would not do by what you have never done. In 1819 the county which the noble Lord represents was in a condition far more formidable than Tipperary. A Secret Committee, of which the present Earl of Derby was the Chairman, was nominated to investigate the condition of Lancashire. Evidence was adduced to prove not that crimes were committed by a few ruffians, but that in the dead of the night large bodies of men were drilled and disciplined with a view to an insurrection, which would have ended in an universal carnage; yet, when England stood on the brink of ruin, no curfew law was attempted. The Six Acts were passed, and the Habeas Corpus Act was suspended; but Lord Castlereagh, notwithstanding his Irish apprenticeship, did not venture on such a proposition as this. The suspension of the Habeas Corpus, if the law as it stands were not sufficient (and I contend that it is sufficient), would be far more efficacious and far less oppressive; but the noble Lord will, in all probability, suggest that the disturbances of Lancashire were not agrarian. What does the noble Lord think of the disturbances of Kent and five other counties in 1830, when he was himself a Member of the Administration? Did the noble Lord think nothing of the conflagrations that then filled the country, to use the words of the *Annual Register*, with "horror and

dismay?" Had not the Tory Cabinet of that year as good a case for a Coercion Bill as they now have; and would it not have been in an eminent degree convenient to have locked up the incendiaries by whom such frightful desolation was extended through some of the finest portions of this country? If the Cabinet had determined on a Coercion Bill, what a noble opportunity would have been afforded to the right hon. Baronet, then Mr. Secretary Peel, of delivering a master-piece of eloquence in enforcing—what shall I call it—an English Conflagration Bill? How does it come to pass that you are reckless of our rights, though secured by that which should be accounted an inviolable compact, and that you deal with us in a different fashion from that which you adopt with men of your own race? Are we less entitled to the privileges of Englishmen? Have we to the prerogatives of British citizenship a less irrefragable claim? I fear that the spirit of eminence and masterdom is so fixedly settled in you, that you can never bring yourselves to regard us as your equals: you maintain a kind of English pale upon the Statute-book, and cannot acquire a desuetude of domination. And yet you ought to so—you ought most assuredly to get rid of these addictions to despotism, for you may rest assured that we have divested ourselves of all the habitudes of subserviency. The propensity to debasement has been put aside by us—not a trace of the fetter remains; the iron that used to eat into our souls has not left a mark, and the "*merus Hibernicus*" has disappeared for ever. One of the greatest faults which an English statesman can commit is the omission to observe the vast mental change which has taken place in Ireland. You see what is obvious enough: you see that a great transfer of power has taken place—that the community which was once destitute of all real influence is politically predominant; but you do not mark the alteration in the national character, the metamorphosis of the mind—of all changes the most deserving of your most solicitous consideration. It may be attributed to many causes, but among the rest, to one which you should be prompt to recognise—the education of the people. There are hundreds of thousands of readers in Ireland—those hundreds of thousands will grow to millions—and for a nation of readers this Bill is not fit. You, perhaps, think that the education of the people is of such a character that it will not be attended with any important political effect. You are mistaken; the books put into circulation by the Education Commissioners are of an order greatly superior in all regards to the wretched writings which were once considered to be adapted to the populace: you will not only find books of grammar and arithmetic, but volumes containing extracts from history, in which great and heart-stirring events are told, containing passages of lofty morality, the ethics of patriotism, the catechism of freedom—verses, immortal ones, in which the adoration of liberty is magnificently taught. I repeat to you, for a nation of readers this Bill is not fitted. And because there is no evidence whatever of the necessity for this Bill—because there is no proof whatever that it will attain the objects it professes to aim at—because there is no sort of testimony to show that it will be more successful than your Arms Bill—because it is a violation of the principles of the Union—and because you avail yourselves of the existence of the Act of Union to inflict upon the Irish people a measure which two-thirds of the Irish representatives have denounced, I shall vote against the second reading of this Bill.

The SOLICITOR GENERAL (who was inaudible during the greater portion of his speech) said he would appeal to the House, if he could show that many portions of the population of Ireland, the peaceable, the loyal, and the well-disposed, were destitute of that protection to which the subject was entitled, to record their decision in favour of this Bill. Was the law, as it now stood, adequate to redress crimes of the peculiar character of those which now unhappily disturbed the peace of Ireland? The history of the measures taken in former years for the purpose of repressing crime, fully showed the necessity of having recourse to the present Bill. In 1833 crimes of an agrarian character were very prevalent, and the peaceable part of the population throughout the country called loudly for protection. A Bill was then passed by the Legislature of a more rigorous character than the present, and powers almost unbounded were committed to the Government. Crime at that time prevailed to a fearful and alarming extent throughout the greater part of Ireland, to such an extent as to show that the existing law was utterly inadequate to check it. The effect produced by the passing of the new Act was immediate; and though it existed for only sixteen months all crimes of

the greatest magnitude and of an insurrectionary character had entirely ceased by the end of 1834. During the short period of his right hon. Friend's Administration in 1835 no Coercion Act existed; but after the Act of 1833 had expired, the noble Lord the Member for the West Riding of Yorkshire (Viscount Morpeth) brought forward a Bill of a similar character. In 1835 all insurrectionary crimes had ceased; but agrarian crimes of the character now prevailing then existed, and had recently increased. The noble Lord then thought that the Bill of 1835 was necessary for affording protection to the community; and he now asked the noble Lord, who had introduced and advocated that Bill, why were the peaceable, hopeless, and unoffending part of the community, endangered by the crimes now prevailing in Ireland, to be deprived of the protection to which they were entitled? While the operation of the Coercion Act was suspended, crime attained a greatly higher amount. In 1835, the year during which no Coercion Act was in existence, the number of outrages committed was 10,229; in the following year, 1836, the first after the Bill had passed, the number of crimes diminished to 8,067; and in 1837 it further decreased to 6,760. In the course of that year, when the Act had been in operation for two years, the House was called upon to repeal it; but only three or four Members were found to support the proposition. In 1838, the number of outrages was 4,945; in 1830 it was 4,626; in 1840, when the Act of 1835 expired, it was 4,069. In 1841, the number of outrages increased to 5,361; in 1842 it was 6,535; in 1843 it was 5,870; in 1844 it was 6,327; and in 1845 it was 8,095. If he were told that it was impossible a Bill of this character could have the effect of repressing the fearful crimes which disfigured society in Ireland, he answered by showing that when a Bill of similar character was in force, crime progressively diminished; while from the year in which that Bill ceased to be in operation, crime had progressively and sensibly increased. When it was proved that in Ireland neither life nor property possessed that degree of security to which the subject was entitled in every well-governed country, he asked would it have been legitimate for the Executive Government to sit down in silent despair without any attempt to afford a remedy? Was not some attempt to be made to correct so fearful a state of things; and if a remedy was to be devised, what better one could there be than that which the experience of the past suggested? He felt it his duty to call the attention of the House to the nature of the offences now committed in Ireland, and then to ask whether it was possible for any Executive Government, consistently with its duty, to allow the present state of things to continue? The present Government had hitherto continued to maintain tranquillity in Ireland by the administration of the existing law, without calling for any new powers. In 1839, though large bodies of men were almost in open rebellion, no demand was made for a Coercion Bill; and Government persevered in the same line of conduct in 1842, when there were extensive disturbances, and tranquillity was maintained by the aid of the ordinary powers of the law. The most alarming feature connected with the state of crime in Ireland, was the striking and fearful disparity which existed between the number of offences committed, and that of offenders convicted. In five counties in Ireland, the number of indictable offences committed was 1,188; while 54 offenders only were convicted. It was the perpetrators of the outrages in Ireland, and not their victims, who would regard this Bill as an insult. If a special commission were now sitting in the county of Roscommon, what remedy would it afford for the existing evils? In that county alone, within five months, 383 indictable offences had been committed, and only eight or nine offenders brought to justice. What then was the use of judges and jury, if, whatever the number of offences, the offenders were not apprehended? Again, when they considered the nature of the crimes committed in Ireland, they could not help feeling that no ordinary state of the law was adequate to meet them. He would not weary the House with details, but would refer only to the case mentioned by his noble Friend the Secretary for Ireland; and he ventured to say that there was no well-governed country in the civilized world in which offences of that sort would be allowed. That was the case of a person yielding obedience to the law, dwelling on his own property; and, because he had threatened to remove tenants who had never paid him any rent, having his house broken into, his life endangered, and his family injured and ill-treated; and yet stating that though he knew some of the offenders, he dared not name them until he had sold his property. There were not

less than 1,000 or 1,100 families in those five counties, that were in constant danger of having outrages committed against their persons or property; and he would ask, could that Bill be considered by them as an insult? They were every hour liable to those outrages that were of such frequent occurrence; and it was the duty of the Legislature to afford them protection. The hon. and learned Gentleman entered into a comparison of the crimes committed during the first five months of the years 1845 and 1846, which showed a considerable increase in the present year—which he considered a sufficient reason for the passing of the measure. The hon. and learned Gentleman read a report which he had received from certain gentlemen resident in Tipperary, showing the difficulty there was to obtain evidence even where the guilty persons were known to those who had been injured. He maintained that in consequence of the indisposition to bring offenders to justice, the ordinary powers were not sufficient. When such was the state of things throughout the five counties, it was necessary that some extraordinary law should be enacted for the protection of such of the inhabitants as were peacable, loyal, and well-disposed. The learned Member also entered into a defence of the measure, more particularly as regarded those parts of it that differed from the Coercion Bill of 1835, and stated that the peaceable and well-disposed portion of the community resident in Ireland, looked forward to the passing of the measure with considerable anxiety. The Executive Government would be neglecting its duty if it hesitated to bring forward a measure of this kind. Though he trusted that there might arise no occasion for carrying this Bill into execution, yet could there be a doubt, if these powers beyond the ordinary law were given to the Government to use when necessary, that the same beneficial result would ensue as had followed the Act of 1835? The objection to the power of inflicting the punishment of transportation, given in certain cases under this Bill, was a matter for consideration in Committee, rather than in a discussion on the principle of the measure. He called upon the House to give its assent to this Bill, in order that the peaceable inhabitants of the five counties of Ireland to which it was intended more particularly to apply, as well as of other districts of that country, might receive the protection to which every subject of this realm was entitled, and might not be exposed to daily and nightly outrage. During the whole course of his public life he had advocated an amelioration of the criminal code of the country; and though this was a Bill involving pains and penalties, yet being of opinion that by it the social condition of Ireland would be improved, his vote should be registered in its favour.

The MARQUESS of CHANDOS, amidst cries of "Divide," stated his intention of recording his vote in favour of the measure. Whether he did or did not vote with a portion of that party sitting on the same side of the House with himself, he should be sorry that it should be thought he concurred in the language which had been directed by that party towards the Government, and particularly towards the right hon. Baronet at the head of it. With regard to the reasons on which he had supported the measure, he might offer ample grounds to the House why he should do so. He had heard the statements of the right hon. Baronet, upon the introduction of the Bill, and he had found those statements borne out by the large amount of crime committed in Ireland. No doubt existed in his mind that the existing law was inadequate for the protection of life and property in the sister kingdom. Could it be otherwise, when he found a thousand offences committed—a thousand offences not inclusive either of murder or homicide. Indeed, the very arguments adduced on the other side of the House had convinced him that a new measure was imperative. He had heard that night that the present law was systematically violated, and yet those who admitted this fact affected to say that no new law was necessary. A noble Lord on the other side of the House had asked for the rejection of the Bill on the ground that two-thirds of the people of Ireland were opposed to it. He should be willing, of course, to yield to this opinion were it founded upon a proper basis; but it was too shallow to be followed, and it ought not to weigh with any man who had the faculty of judging between necessity and non-necessity. But he had been told that if he voted against the Bill, he should be voting against the present Government, which, it was also said by some, was to be desired. Was it supposed, then, that the Government would abuse the powers placed in their hands? He thought not. Had they shown any inclination to act in

a tyrannical, arbitrary, and despotic manner, he, perhaps, should hesitate in his vote. He had noticed no inclination of this character—nor did he think that the question involved a vote of want of confidence in the Ministry; and, even were the question involved, he would freely say he was prepared to oppose it. He might certainly wish that some alteration should be made in the details of the Bill; but, as regarded its principle, his mind was fully convinced. Whatever the result of the division, he should have the satisfaction of knowing that his vote would be registered freely and fairly on the merits of the question, and that he should not be actuated by any prejudice or factious opposition.

MAJOR BERESFORD said, that the noble Lord who had just addressed the House, had argued that the law in Ireland had been frequently violated. He had argued that the existing law was not sufficiently powerful to enforce its object; but the noble Lord had not proved the second part of the proposition, namely, that this Bill would be efficient to gain the object which he had in view. The hon. Member for Birmingham had argued in the same way; but he had left the argument where he began it, and had not proved that the Bill would be effective or advantageous in any respect. A far abler debater, however, than either the noble Lord or the Member for Birmingham, Her Majesty's Prime Minister, had argued much in the same way, in favour of affording protection for life and security for property in Ireland. He agreed in many of the excellent arguments used by the right hon. Baronet on the subject; but the right hon. Gentleman stopped short where he ought to have pushed forward his argument: he did not enter into any proof to show the Bill would be effective for the objects for which it had been brought forward. The right hon. Baronet had said, that one of the greatest difficulties they had to encounter in Ireland, was the utter inability to procure evidence to convict offenders. Would confining the population in certain districts to their houses at night, assist in procuring such evidence? The right hon. Baronet further had stated, that frequent murders were committed; but no trace or clue could be had of those who committed them. Would the chief feature of the Bill, the curfew clause, hunt out and bring to justice these flagrant offenders? If he believed that that Bill would put an end to assassination and outrage, and would bring the people of Ireland into calm obedience to the law, he (Major Beresford) for one should support the measure; and he felt sure that no one Irish Member opposite, be his shade of opinion or politics what it might, if he considered it would have that effect, would oppose the Bill. Those representatives who were sent there by the Irish people, desired to put a stop to assassination and to outrage; but at the same time they knew their own country well; and they were aware that this species of legislation would not have that effect, but, on the contrary, would excite irritation in the minds of an excitable people, which would be the certain forerunner of increased outrage. He boldly asserted that no Government would venture to propose such a law under similar circumstances for England. Why, during the existence of the present Administration, they had heard of the commission of similar outrages in this kingdom. In South Wales they had heard of Rebecca riding through the country on dark nights, and on moonlight nights, terrifying the peaceful portion of the population; outrages were committed, and murders also perpetrated, and the weaker sex even was not spared or respected. Did the Government, he asked, propose a curfew law for South Wales? No, they did not venture; and now the Irish representatives appealed to the English Members to grant to their Irish fellow citizens the same degree of freedom which they demanded for themselves. He regretted that on this occasion his vote and opinion should so materially differ from those of so many of his fellow countrymen (Conservatives) with whom he had acted so cordially for the last four months; and he regretted it the more, because there were English representatives, who seeing that the Irish Conservatives were in favour of the Bill, felt great alarm at rejecting it; but so convinced was he of the futility of that alarm, that he should certainly oppose the Bill. He had held conversations with of these Conservatives: they had admitted that the Bill was a bad one, but they added "that it must be passed;" and why? Because that the rejection of it would be an awful triumph to a particular party in Ireland. He denied that it would be so. It might indeed be a triumph and a just triumph too, to the whole people of Ireland, to find the legislation of the country framed to do them full equal justice. Granting, however, for argument sake, that it would afford a triumph to that party to reject the Bill, he asked, was that a suffi-

cient reason to induce the British Parliament to pass a bad and oppressive law for Ireland? He thought the day was gone by when the object aimed at in legislation, was to depress one party, or to exalt another. He had hoped that this House was now determined to act towards Ireland in a better spirit, in a temper more congenial to the times, and for the general well-being and benefit of the country at large; and he therefore trusted that it would reject the measure as inadequate to the object proposed in it, and unworthy of being placed on the Statute-book of the Empire; and he hoped yet to see his native land peaceable and happy, without the imposition of unconstitutional and tyrannical measures.

MR. ADDERLEY observed, that this measure would afford some Members an opportunity of giving a party vote in retaliation. But it should afford no opportunity of this character if the House did not think it unsafe to entrust large powers in the hands of the Government. In the votes given it should be shown that all were interested by a due sense of the importance of the question as it stood, and that only.

MR. NEWDEGATE said, that the hon. Member for Dungarvon had alluded to the cloud which had fallen upon the prospects of the right hon. Baronet at the head of the Government; and he (Mr. Newdegate) could not help fearing that the darkness of that cloud had fallen upon the intellect of some hon. Members with whom he had had the honour of acting for some time past, and that it precluded their perception of the effect of the vote they were about to give in support of the present unconstitutional measure. He feared that the light which the right hon. Member for Dungarvon said tinged that cloud, had not reached the hon. Members to whom he alluded, when they impugned the motives of the hon. Members around him, who now opposed the measure; that light was derived from the anticipations the right hon. Member entertained that the right hon. Baronet would pursue a policy towards Ireland which was that very policy which many hon. Members feared, as tending to give a triumph to the Repealers. Was it not that the right hon. Member for Dungarvon hoped —and he was supported in that hope by the opinion of the hon. Member for Cork—that the right hon. Baronet would pursue such a line of policy, was it not this confident expectation that made him eulogize the inconsistency of the right hon. Baronet? The hon. Member for Cork had said, in 1844, at a large meeting in Conciliation Hall, that "the right hon. Baronet was in a wheeling humour; that no one could tell upon what letter the teetotum would fall; but that he saw nothing to prevent the right hon. Baronet from being the very man to propose the repeal of the Union; and that he thought he must come into a line with him." Had not the hon. Member for Cork been as good as his word, by coming into a line with the right hon. Baronet in support of that measure for the repeal of the Corn Laws, which had just been returned from the House of Lords to the Table of that House? And could the hon. Member have already forgotten the words of the right hon. Member for Dungarvon, who had just told them that by passing that measure the right hon. Baronet had severed one ligament which bound Ireland and England. Scarcely any hon. Member—not one of the Irish Members—had expressed an opinion in favour of this coercive measure on its own merits. If they voted for it, their votes must be taken as votes of confidence in the authors of that measure, in whose hands it would place wide, ill-defined, and unconstitutional powers—powers which he believed would prove ineffectual for the purposes intended. For one he could only say, that nothing should induce him to vote for a bad measure, which was to place unconstitutional powers in the hands of a Government in whom he had no confidence. Such were the grounds of his opinion; and on these grounds he was prepared to justify the vote he was about to give against the measure; and he would ask those who might differ from him in their votes, but who agreed with him in their want of confidence in the Government, whether there was one of them who believed that, if the measure passed its present stage, it would ever pass into a law? He did not believe that any of them entertained so empty an anticipation. But be their votes what they might, he must be permitted to say that he thought that those who were so nice about the strong language used by the noble Lord the Member for Lynn—which the occasion justified —should themselves have refrained from casting imputations upon the motives of those with whom they had for some time acted, and who, to say the least of it, were as little liable to imputation of corrupt motives as they were themselves.

CAPTAIN HARRIS defended the noble Lord the Member for Lynn from the charge of inconsistency with regard to this measure. He confessed the evidence of outrage committed with impunity was so strong when it had first been laid before them, that, believing some measure was required for the suppression of crime, he voted for the first reading. But he would ask any Member in this House whether this measure was not wholly inefficient and impracticable? Few of them, by the way, had the Bill in their hands: he did not believe that the noble Lord who lately spoke (the Marquess of Chandos) had ever read the Bill; he talked of protection to property, while the fact was, that there was not a word about property in the Bill. The most stringent clause in the Bill was one that was directed against the well-disposed; it shut them up in their houses at night, thus leaving a clear field for those who were bent on mischief. It put him in mind of a schoolmaster, who, when a boy was riotous in his room at night, gave him a black dose the next morning; but when he could not ascertain the offender amongst several boys in the same room, he proclaimed the district and dosed them all round. He confessed he had not much knowledge of Ireland; but he did not think that Coercion Bills formed the best mode of governing that or any other country. With regard to the question of confidence in the Government, which had been mooted, he must say that he had no confidence in Her Majesty's Ministers. He believed that if the right hon. Baronet remained in office, other measures of a dangerous tendency would be more likely to be carried than by the noble Lord opposite, as he thought that many Members would support the right hon. Baronet, who would vote against the same measures if brought forward by the noble Lord the Member for London. With respect to the right hon. Baronet, who in his own person represented the Government, he thought that he had committed an enormous mistake—that he had mistaken the character and genius of his countrymen. The right hon. Baronet endeavoured by stratagem and surprise to carry a measure of vital importance to the country. He thought that success would justify the means, but he was now undeceived; and he would tell the right hon. Baronet that his political reputation, as well as the confidence which the best and most independent men in the country had placed in him, was shivered to atoms.

CAPTAIN JONES, amidst much uproar, defended the measure, as being similar to that which the Whigs passed, with the approbation of Mr. O'Connell, in 1835.

VISCOUNT INGESTRE thought that life and property were insecure in Ireland, and he had been inclined to support this measure as a remedy for the evil; but when he saw this measure sacrificed, and put behind another measure which was admitted to be of less importance, he felt that he could not conscientiously vote in its favour; and, therefore, he should abstain from voting at all. He was the more inclined to take that course, because rumours were rife that there were divisions in the Government itself with respect to certain measures of a fiscal nature; and he, therefore, did not think the Government was in that state to be entrusted with powers of such an unconstitutional character.

MR. BORTHWICK, amidst much uproar said, he would content himself with remarking that, as the division list to-morrow would show how each Member voted, all he should say was, that the vote he meant to give would be given exclusively on the merits of the Bill, and on no other consideration.

MR. COBDEN said: I am not going to argue the question; but I wish to say one or two words as to the spirit of the votes we are going to give. I shall find myself in the lobby to-night—and probably in a majority—with three classes of voters. The first class are those Gentlemen who with myself voted against the first reading, because they were opposed to the principles of legislation for Ireland which the measure involves; the next are those hon. Members on this side of the House who voted for the first reading; and the third, to my great surprise, are a large number of Gentlemen below the gangway who also voted for the first reading. Now, I don't intend to offer one word in the way of putting a construction upon the motives of hon. Gentlemen who are to vote differently upon this occasion; but as such a combination may seem rather odd, and may be looked upon by the country with some suspicion, I wish to clear myself at all events—and probably in doing so, I may also render some service to other hon. Members—by showing that the construction which may be put upon the vote about to be given by the noble Lord the Member for Lynn, at all events does not apply to us. The

noble Lord has told us very frankly what he considers the object of the majority to be—that we are joining together to do justice to the right hon. Baronet for his policy during the present Session. I think he said that it must be the object of every honest man to inflict summary punishment upon the traitor, although some of us may like the treachery. It is a vote of censure upon the right hon. Baronet in the estimation of the noble Lord. Now I beg to repudiate for myself and for many hon. Gentlemen on this side of the House, such an unjust and unfair construction upon the votes we mean to give. We should be acting very inconsistently indeed with popular opinion—and we especially affect to represent popular opinion—if we were to give such a vote as this; because I apprehend there will be no dispute on this point, that the right hon. Baronet has been the means of passing this Session one of the most popular measures that any Minister could possibly undertake. We should be outraging public opinion if we allowed such a construction to be put upon our vote at this moment, on the very day that this great measure has been brought down to this House from another place. Yes, I can imagine the noble Lord feeling that there is a sort of poetical justice in carrying a vote of censure at the very moment of the passing of the Corn Bill; but I beg to say that he must not put this construction at all events upon my vote. I do not mean to say one word on the merits of the Bill. But it seems the right hon. Baronet attaches so much importance to the Bill, that, according to general report, he has determined to stand or fall by it. With that I have nothing to do; for I have resolved that I shall not imitate the noble Lord, and stultify myself by voting that black is white, merely to serve another purpose. I said two months ago that I believed it possible that before the Corn Bill passed the House of Lords, the right hon. Baronet would be put in a minority by a cross vote, for I said then, as I say now, that the hon. Gentlemen below the gangway were prepared to give any vote consistent with their personal honour, which we must not question in this House, for the purpose of throwing out the right hon. Baronet. I therefore feel that it would be quite hopeless for any man to seek to keep the present Government in power by giving a single vote against his convictions, because we should then be soon again put to the test by the hon. Gentleman opposite, and we should go on voting black was white to no purpose. Now, I beg to assure hon. Gentlemen opposite that this state of parties will ere long receive a solution out of doors. We cannot continue with three parties in this House, neither party being able to carry on the Government. There must be a fusion of two parties. I see no immediate prospect of an amalgamation between the Gentlemen below the gangway and their late friends on the other side; and I must say that I am very glad it is so. There is nothing which I should regret more than to see the right hon. Baronet forced into an alliance with that rearward party. But there is another reliance which I imagine, in some shape or other, must take place here, and which has already taken place in the country. There is no distinction in the country, so far as I am aware, between those who follow the noble Lord the Member for London and those who give in their adhesion to the policy of the right hon. Baronet. ["Hear!"] I don't understand the logical inference to be drawn from that cheer. I don't think it holds out a cheering prospect to the hon. Gentlemen below the gangway. But I augur that if this fusion has taken place out of doors, and the rank and file of those who follow these two distinguished leaders are found mingling in their ranks and fraternizing with each other throughout the country, there cannot long be a separation between the two chiefs themselves, and the result will be an abandonment of their strife, and a fusion between the two parties in this House. Well, I apprehend that this will give us a Government and a majority—which will not be a protection Government, at all events. Now I have only to say, in contradiction to the noble Lord (Lord George Bentinck), that if the right hon. Baronet chooses to retire from office in consequence of this vote, he carries with him the esteem and gratitude of a larger number of the population of this Empire than ever followed any Minister that was ever hurled from power. [Mr. RASHLEIGH: Not of the working classes.] The hon. Member for Cornwall says, "not of the working classes." [Mr. RASHLEIGH: And I repeat it.] I am sorry the hon. Member is so excited in making the declaration; but has he the same expression of opinion to give with regard to the voting classes? I think the right hon. Gentleman has shown great forbearance to hon. Members below the gangway, in not having availed himself of the strength he has with the country, and, taking them at their

words, before he abandons office, appealing to the country. But should he not do so, I am not misinterpreting the opinion of the people, not only of the electors, but especially of the working classes, when I tender the right hon. Baronet, in my own name, as I might do in theirs, my heartfelt thanks for the unwearied perseverance, the unswerving firmness, and the great ability with which he has during the last six months conducted one of the most magnificent reforms ever carried in any country, through this House of Commons.

The House divided on the Question, "That the word 'now' stand part of the Question:"—Ayes 219; Noes 292: Majority 73.

List of the AYES.

Ackers, J.
Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Adare, Visct.
Adderley, C. B.
Ainsworth, P.
Alexander, N.
Alford, Visct.
Antrobus, E.
Arbuthnot, hon. H.
Astell, W.
Austen, Col.
Bagot, hon. W.
Baillie, Col.
Baillie, H. J.
Baldwin, B.
Barkly, H.
Baring, T.
Baring, rt. hon. W. B.
Bateson, T.
Beckett, W.
Bell, M.
Benbow, J.
Bernard, Visct.
Blackburne, J. I.
Bodkin, W. H.
Botfield, B.
Bowles, Adm.
Boyd, J.
Bramston, T. W.
Briscoe, M.
Broadley, H.
Brooke, Sir A. B.
Bruce, Lord E.
Bruges, W. H.
Buckley, E.
Burroughes, H. N.
Campbell, Sir H.
Cardwell, E.
Carew, W. H. P.
Carnegie, hon. Capt.
Chandos, Marq. of
Chelsea, Visct.
Chichester, Lord J. L.
Cholmondeley, hon. H.
Chute, W. L. W.
Clements, Visct.
Clerk, rt. hon. Sir G.
Clive, Visct.
Clive, hon. R. H.
Cockburn, rt. hn. Sir G.
Cole, hon. H. A.
Collett, W. R.
Compton, H. C.
Connolly, Col.
Coote, Sir C. H.
Corry, rt. hon. H.
Courtenay, Lord
Cripps, W.
Damer, hon. Col.
Davis, D. A. S.
Deedes, W.
Denison, E. B.
Dickinson, F. H.
Dodd, G.
Douglas, Sir H.
Douglas, Sir C. E.
Douglas, J. D. S.
Douro, Marq. of
Dowdeswell, W.
Drummond, H. H.
Duckworth, Sir J. T. B.
Dugdale, W. S.
Du Pre, C. G.
East, J. B.
Eastnor, Visct.
Egerton, W. T.
Egerton, Sir P.
Emlyn, Visct.
Entwisle, W.
Estcourt, T. G. B.
Feilden, W.
Ferguson, Sir R. A.
Filmer, Sir E.
Fitzmaurice, hon. W.
Fitzroy, hon. H.
Flower, Sir J.
Forbes, W.
Forester, hon. G. C. W.
Forman, T. S.
Fox, S. L.
Gardner, J. D.
Glynne, Sir S. R.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, W. O.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greene, T.
Gregory, W. H.
Grimsditch, T.
Grogan, E.
Hale, R. B.
Hall, Col.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, W. J.
Hamilton, Lord C.
Hampden, R.
Hanmer, Sir J.
Hayes, Sir E.
Heneage, G. H. W.
Herbert, rt. hon. S.
Hervey, Lord A.
Hodgson, F.
Hogg, J. W.
Holmes, hon. W. A'C.
Hope, A.
Hope, G. W.
Hornby, J.
Hotham, Lord
Hughes, W. B.
Inglis, Sir R. H.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, Sir J.
Johnstone, H.
Jones, Capt.
Kelly, Sir F.
Kemble, H.
Ker, D. S.
Kirk, P.
Lascelles, hon. E.
Lascelles, hon. W. S.
Lefroy, A.
Legh, G. C.
Lemon, Sir C.
Leslie, C. P.
Lincoln, Earl of
Lindsay, hon. Capt.
Lockhart, A. E.
Lockhart, W.
Lyall, G.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Mackinnon, W. A.
M'Neill, D.
Mahon, Visct.
Mainwaring, T.
Manners, Lord C. S.
Masterman, J.
Maunsell, T. P.
Meynell, Capt.
Mildmay, H. St. J.
Morgan, O.
Mundy, E. M.
Neville, R.
Newry, Visct.
Nicholl, rt. hon. J.
Northland, Visct.
Oswald, A.
Owen, Sir J.
Paget, Lord W.
Palmer, R.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, J.
Pennant, hon. Col.
Polhill, F.
Powell, Col.
Reid, Col.
Richards, R.
Round, C. G.
Round, J.
Rumbold, C. E.
Russell, C.
Russell, J. D. W.
Ryder, hon. G. D.
Sanderson, R.
Sandon, Visct.
Seymer, H. K.
Seymour, Sir H. B.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Smith, A.
Smythe, hon. G.
Smollett, A.
Somerset, Lord G.
Somerton, Visct.
Sotheron, T. H. S.
Spooner, R.
Stewart, J.
Stuart, H.
Sutton, hon. H. M.
Thesiger, Sir F.
Tollemache, hon. F. J.
Tollemache, J.
Tomline, G.
Tower, C.
Trench, Sir F. W.
Trevor, hon. G. R.
Trotter, J.
Verner, Col.
Vernon, G. H.
Vesey, hon. T.
Villiers, Visct.
Vivian, J. E.
Welby, G. E.
Wellesley, Lord C.
Wood, Col.
Wood, Col. T.
Wortley, hn. J. S.
Wynn, rt. hon. C. W. W.

TELLERS.

Young, J.
Baring, H.

Dist of the NOES.

Aglionby, H. A.
Aldam, W.
Allix, J. P.
Anson, hon. Col.
Archbold, R.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bagge, W.
Baillie, W.
Baine, W.
Bankes, G.
Bannerman, A.
Baring, rt. hon. F. T.
Barnard, E. G.
Barron, Sir H. W.
Bellew, R. M.
Benett, J.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Beresford, Major

Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, hon. G. F.
Bernal, R.
Blackstone, W. S.
Blake, M. J.
Bodkin, J. J.
Borthwick, P.
Bouverie, hon. E. P.
Bowes, J.
Bowring, Dr.
Bradshaw, J.
Bridgeman, H.
Bright, J.
Broadwood, H.
Brocklehurst, J.
Brotherton, J.
Browne, R. D.
Buck, L. W.
Bulkeley, Sir R. B. W.
Buller, C.
Buller, E.
Buller, Sir J. Y.
Burrell, Sir C. M.
Busfeild, W.
Byng, G.
Byng, rt. hon. G. S.
Callaghan, D.
Carew, hon. R. S.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Chapman, B.
Christie, W. D.
Christopher, R. A.
Churchill, Lord A. S.
Clay, Sir W.
Cobden, R.
Colebrooke, Sir T. E.
Collett, J.
Collins, W.
Corbally, M. E.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Curteis, H. B.
Dalmeny, Lord
Dalrymple, Capt.
Dawson, hon. T. V.
Denison, W. J.
Denison, J. E.
Dennistoun, J.
D'Eyncourt, rt. hn. C. T.
Dick, Q.
Disraeli, B.
Duff, J.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncannon, Visct.
Duncombe, T.
Duncombe, hon. O.
Dundas, Adm.
Dundas, F.
Dundas, D
Easthope, Sir J.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellice, E.
Elphinstone, Sir H.
Escott, B.
Esmonde, Sir T.
Etwall, R.
Evans, W.
Evans, Sir De L.
Ewart, W.
Fellowes, E.
Ferguson, Col.
Finch, G.
Fitzgerald, R. A.
Fitzroy, Lord C.
Fitzwilliam, hon. G. W.
Fleetwood, Sir P. H.
Forster, M.
French, F.
Fuller, A. E.
Gibson, T. M.
Gill, T.
Gisborne, T.
Gooch, E. S.
Gore, hon. R.
Goring, C.
Granby, Marq. of
Granger, T. C.
Grattan, H.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Guest, Sir J.
Hall, Sir B.
Hallyburton, Ld. J. F. G.
Halsey, T. P.
Harcourt, G. G.
Harris, hon. Capt.
Hastie, A.
Hatton, Capt. V.
Hawes, B.
Hayter, W. G.
Heathcoat, J.
Heathcote, G. J.
Heneage, E.
Henley, J. W.
Heron, Sir R.
Hinde, J. H.
Hindley, C.
Hobhouse, rt. hn. Sir J.
Hollond, R.
Horsman, E.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hudson, G.
Hume, J.
Humphery, Ald.
Hurst, R. H.
Hussey, T.
Hutt, W.
Irton, S.
Jervis, J.
Johnson, Gen.
Jolliffe, Sir W. G. H.
Kelly, J.
Knight, F. W.
Knightley, Sir C.
Labouchere, rt. hon. H.
Lambton, H.
Langston, J. H.
Layard, Capt.
Lennox, Lord G. H. G.
Liddell, hon. H. T.
Loch, J.
Long, W.
Lowther, hon. Col.
Macaulay, rt. hon. T. B.
Macnamara, Major
M'Carthy, A.
M'Donnell, J. M.
M'Taggart, Sir J.
Maher, N.
Maitland, T.
Mangles, R. D.
Manners, Lord J.
March, Earl of
Marjoribanks, S.
Marshall, W.
Marsland, H.
Martin, J.
Matheson, J.
Maule, rt. hon. F.
Miles, W.
Milnes, R. M.
Milton, Visct.
Mitcalfe, H.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Morpeth, Visct.
Morris, D.
Mostyn, hn. E. M. L.
Muntz, G. F.
Napier, Sir C.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, A. S.
O'Brien, W. S.
O'Brien, T.
O'Connell, D.
O'Connell, M.
O'Connell, M. J.
O'Connell, J.
O'Conor Don
O'Ferrall, R. M.
Ogle, S. C. H.
Ord, W.
Osborne, R.
Oswald, J.
Packe, C. W.
Paget, Col.
Palmerston, Visct.
Parker, J.
Pattison, J.
Pechell, Capt.
Pendarves, E. W. W.
Philipps, Sir R. B. P.
Pigot, rt. hon. D.
Plumridge, Capt.
Pollington, Visct.
Ponsonby, hn. C. F. A. C.
Powell, C.
Power, J.
Price, Sir R.
Protheroe, E.
Pulsford, R.
Rashleigh, W.
Redington, T. N.
Rendlesham, Lord
Ricardo, J. L.
Rich, H.
Roebuck, J. A.
Rolleston, Col.
Romilly, J.
Ross, D. R.
Russell, Lord J.
Russell, Lord E.
Rutherfurd, A.
Scott, R.
Scrope, G. P.
Seymour, Lord
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Sibthorp, Col.
Smith, J. A.
Smith, rt. hon. R. V.
Somers, J. P.
Stanley, E.
Stanley, hon. W. O.
Stansfield, W. R. C.
Staunton, Sir G. T.
Stuart, Lord J.
Stuart, W. V.
Stuart, J.
Strickland, Sir G.
Strutt, E.
Tancred, H. W.
Taylor, J. A.
Thompson, Ald.
Thornely, T.
Towneley, J.
Traill, G.
Trelawny, J. S.
Trollope, Sir J.
Tuite, H. M.
Turner, E.
Tyrrell, Sir J. T.
Vane, Lord H.
Villiers, hon. C.
Vivian, hon. Capt.
Vyse, R. H. R. H.
Vyvyan, Sir R. R.
Waddington, H. S.
Wakley, T.
Wall, C. B.
Warburton, H.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
White, S.
Wilde, Sir T.
Williams, W.
Winnington, Sir T. E.
Wodehouse, E.
Wood, C.
Worcester, Marq. of
Worsley, Lord
Wrightson, W. B.
Wyndham, J. H. C.
Wyse, T.
Yorke, hon. E. T.
Yorke, H. R.

TELLERS.
Hill, Lord M.
Somerville, Sir W.

Paired off

AGAINST.	FOR.
Acheson, Lord	Copeland, Ald.
Bell, J.	Blakemore, R.
Blake, Sir V.	Praed, W. T.
Butler, P. S.	Maxwell, hon. J.
Bailey, J. jun.	Bruen, Col.
Colville, C. R.	Egerton, Lord F.

AGAINST.	FOR.
Howard, hon. J. K.	Gladstone, Capt.
Howard, hon. H.	Hope, Sir J.
Cayley, E. S.	Pakington, J. S.
Langton, G.	Reid, Sir J.
Listowel, Lord	Lindsay, H.
Maclean, D.	Ashley, hon. H.
O'Brien, C.	Attwood, J.
O'Brien, J.	Hepburn, Sir T.
Pigot, Sir R.	Whitmore, T. C.
Rawdon, Col.	Acton, Col.
Rice, E. R.	Barrington, Lord
Troubridge, Sir T.	Gore, W. O.
Tufnell, H.	M'Geachy, F. A.
White, H.	Cresswell, B.
Philips, M.	Grimsditch, T.
Attwood, F. I.	Smyth, Sir H.
Leader, J. T.	Martin, C. W.
Hildyard, T. B.	Frewen, C. H.

Absent.

Archdall, Capt.	Hussey, A.
Arkwright, G.	Ingestre, Lord
Bailey, J.	James, W.
Balfour, J. M.	Kerrison, Sir E.
Barclay, D.	Law, hon. C. E.
Barneby, J.	Lawson, A.
Baskerville, T.	Lopes, Sir R.
Blewitt, R. J.	Lowther, Sir J.
Boldero, H. G.	Martin, T. B.
Brooke, Lord	Marton, G.
Browne, hon. W.	Miles, P. W. S.
Brownrigg, S.	Morgan, C.
Bruce, C.	Morison, Gen.
Castlereagh, Visct.	Morrison, J.
Chapman, A.	Neeld, J.
Clayton, R. R.	Ossulston, Lord
Clifton, J. T.	Paget, Lord A.
Codrington, Sir W.	Palmer, G.
Colquhoun, J. C.	Philips, G. R.
Currie, R.	Phillpotts, J.
Dashwood, G. H.	Plumptre, J.
Divett, E.	Price, R.
Drax, J. S. W.	Pryse, P.
Duncombe, hon. A.	Pusey, P.
Dundas, T.	Repton, G.
Eaton, R. J.	Roche, D.
Ellis, W.	Scott, hon. F.
Farnham, E. B.	Smith, B.
Ferrand, W. B.	Spry, Sir S. T.
Ffolliott, J.	Standish, C.
Fielden, J.	Stanton, W. H.
Floyer, J.	Talbot, C. R. M.
Fox, C. R.	Taylor, Capt.
Gaskell, J. M.	Thornhill, J.
Halford, Sir H.	Turnor, C.
Hamilton, C. B.	Vivian, J.
Hardy, J.	Walker, R.
Hay, Sir A. L.	Walpole, S.
Heathcote, Sir W.	Walsh, Sir J. B.
Heron, Sir R.	Wemyss, J.
Hill, Lord E.	Westenra, Col.
Hodgson, R.	Williams, T. P.
Hoskins, K.	Wilshere, W.
Houldsworth, T.	Wyndham, Col.
Howard, P. H.	Wynn, Sir W.

ANALYSIS.—ENGLAND.

FOR THE SECOND READING.		AGAINST THE SECOND READING.	
Counties	56	Counties	58
Boroughs	97	Boroughs	154
Universities	3	Universities	0
Total	—156	Total	—212

WALES.

Counties	12	Counties	2
Boroughs	4	Boroughs	5
Total	— 16	Total	— 7

SCOTLAND.

Counties	14	Counties	9
Boroughs	2	Boroughs	16
Total	— 16	Total	— 25

IRELAND.

Counties	15	Counties	25
Boroughs	14	Boroughs	23
University	2	Total	— 48
Total	— 31		

Grand total for the second reading . 219	Grand total against the second reading 292

Majority against the Bill 73

VACANT.—Sudbury, 2; Carlow County, 1; Kilkenny County, 1: Total 4. Speaker 1. Grand total, 658.

Main Question as amended agreed to. Bill put off for six months.

RATEABLE PROPERTY (IRELAND).

The EARL of LINCOLN moved for leave to bring in a Bill to regulate the valuation of rateable property in Ireland. It would be within the recollection of the House that last year a Bill had been introduced into the House to amend the system of valuing land in Ireland, but it was considered defective, and had been accordingly dropped. The present measure, he hoped, would obviate the evils which had proved fatal to the Bill of last year. He would propose that evening to lay the Bill on the Table without further comment, believing that he would best consult the convenience of the House to reserve details for a future occasion. It was his intention to propose the second reading on a distant day, in order to give time for due consideration.

Leave given. Bill brought in and read a first time.

BIRTH OF A PRINCESS—ROYAL MESSAGE.

COLONEL D. DAMER, Comptroller of the Household, appeared at the bar, and announced that Her Majesty had received the Address of the House of the 25th of May, and had returned the following answer:—

"I have received with satisfaction your loyal and dutiful Address.

"I thank you for this proof of your attachment to Me and to My Family."

House adjourned at a quarter past Two o'clock.

HOUSE OF LORDS,

Friday, June 26, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Saint Asaph and Bangor Dioceses; Trial of Offences (Ireland).
2ª. Correction of Clerks.
Reported. County Works Presentments (Ireland).
Received the Royal Assent. Corn Importation; Customs Duties; Administration of Criminal Justice; Explosive Substances.
PETITIONS PRESENTED. From the Parish of Goodrich, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—From Clergymen of Suffolk, for the Better Maintenance of Church Discipline.

THE NEW HOUSES OF PARLIAMENT.

The MARQUESS of CLANRICARDE moved an Address to Her Majesty, praying that She would be pleased to order that the New House should be forthwith prepared for the reception of the Peers. The noble Marquess said the Address was quite in accordance with the report of the referees, who stated that the only impediment arose from a delay in the arrangements for warming and ventilating the House according to the views of Dr. Reid. They stated also that the architect had expressed his readiness to undertake the warming and ventilation on a plan of his own, and that if this proposal were not accepted, they thought the occupation of the New House would be indefinitely postponed. He (the Marquess of Clanricarde) would have been content to leave the question of ventilation to the Woods and Forests, but that the Chief Commissioner, as so large an expense had already been gone to in carrying out the experiments of Dr. Reid, preferred that the opinion of Parliament should be taken on the subject.

VISCOUNT CANNING said, he should not oppose the Address, but he had within the last five minutes received a petition from Dr. Reid to that House, in which he stated that he had seen the report of the referees with surprise, and prayed that he might be permitted to lay before the House the drawings he had made for the ventilation of the House of Peers, and stated that he was prepared to have the House of Peers ready for occupation at any time in three months after the order was given. He protested also against the ventilation being transferred to another, unless to one superior in the science of ventilation. He also observed, in his petition, that Mr. Barry had, from time to time, expressed his approval of the plan.

LORD SUDELEY thought that Dr. Reid had been rather harshly treated; and entered into a statement of circumstances to show that there was no ground for the charge that he had interfered unnecessarily with the arrangements of the architect. He asserted that the ventilation of the House of Commons was most complete and perfect, and was the first plan of systematic ventilation ever carried out in this or any other country; and yet with this successful instance before them, it was now proposed to supersede Dr. Reid and to appoint an individual in his place of whose knowledge of the science of ventilation they had no proof whatever. He reminded their Lordships that Dr. Reid had promised to have the new House ready for their accommodation, so far as he was concerned, within three months from the time of the order being given.

LORD REDESDALE, in answer to the noble Lord, called the attention of the House to the fact, that though Dr. Reid had told the Committee that all his plans were ready for the ventilation of the New House, yet when they asked him to produce his drawings of those plans, he had been unable to do so. Under all the circumstances, he thought the Committee were justified in coming to the conclusion they had done.

LORD CAMPBELL admitted that it was of importance that their Lordships should get into the New House as soon as possible, and that they were suffering not a little from remaining there; but at the same time he would rather that that suffering should continue a little longer than that injustice should be done; and injustice he thought would be done if they superseded Dr. Reid in the manner proposed. He believed that Dr. Reid was a man of science, and that he had conducted the process of ventilation more successfully than any modern philosopher. He (Lord Campbell) had been for many years a Member of the other House, and could bear his testimony to the fact that Dr. Reid's success in the House of Commons had been unbounded. He admitted, however that nothing could be more detestable than the result of the learned Doctor's experiments in their Lordships' House. But this was not the fault of Dr. Reid, but of the materials he had to operate upon. It was quite true that they were sometimes in Greenland and sometimes in Bencoolen, and that nothing could be more annoying or more prejudicial to health and comfort; but Dr. Reid had told them from the beginning that he did not believe he could do anything with it, as they did not give

him the means; that he would do all he could to reform their Lordships' House, but that he despaired of accomplishing it; and that if they honoured him with the care of the ventilation of the New House, he could make it as perfect as the ventilation of the House of Commons. He (Lord Campbell), therefore, thought that it would be unfair to deprive him of the honour of carrying his promises into effect.

The MARQUESS of LANSDOWNE wished it to be distinctly understood that in voting for the Address to Her Majesty, he gave no definite judgment with respect to Dr. Reid. He should be sorry if, by that vote, he were to be regarded as pronouncing condemnation on Dr. Reid, even with respect to the imperfect ventilation of that House; for he distinctly remembered Dr. Reid stating that it would be impossible for him to render the ventilation of that House so perfect as he could wish; but the question for their Lordships to consider at present was, not what Dr. Reid's plans might ultimately prove to be, but what chance there was, within any assignable period, of their getting possession of the New House? And as their object was to get into the New House, if possible, by next Session of Parliament, he thought that object could only be accomplished by agreeing to the Address which had been proposed.

LORD ASHBURTON said, it seemed clear to him that if their Lordships and the Government did not interfere, the discussions between Dr. Reid and Mr. Barry might become interminable, and their Lordships would never get into their new House at all.

EARL GREY concurred in thinking, that unless they agreed to this Address, it was problematical when they might get into the new House. At the same time, considering how complete had been Dr. Reid's success in the House of Commons, he (Earl Grey) was extremely sorry that it would be impossible, without great delay, to adopt Dr. Reid's plan in the first instance in the New House; but, though this was the case, it would not be impossible hereafter to adopt Dr. Reid's plan, if Mr. Barry's should be found unsatisfactory.

Motion agreed to.

THE ATTORNEY GENERAL OF VAN DIEMEN'S LAND.

LORD BROUGHAM wished to know from the Under Secretary for the Colonies, whether Mr. M'Dowall had been restored to the office of Attorney General for Van Diemen's Land?

LORD LYTTELTON replied that he had not, but that he had been appointed a Commissioner of Insolvency, an office which was inferior in emolument, but not in the respect which it commanded.

LORD STANLEY observed, that as well as his memory served him, Mr. M'Dowall's dismissal had been caused in consequence of the bad feeling that existed between that gentleman and the Solicitor General of Van Diemen's Land. This animosity had been carried to such an extent as to endanger the satisfactory prosecution of the public business. He had never heard that Mr. M'Dowall had been dismissed for any corrupt, illegal, or dishonourable conduct.

LORD BROUGHAM stated that he should move for the production of Lord J. Russell's despatch on Monday.

House adjourned.

HOUSE OF COMMONS,

Friday, June 26, 1846.

MINUTES.] PUBLIC BILLS. — *Reported.* Sugar Duties; Spitalfields New Street.

PETITIONS PRESENTED. By Mr. Bouverie, from Members of the Free Church Congregation at Renfrew, complaining of the Refusal of Proprietors of Land to grant Sites for the Erection of Free Churches (Scotland), and praying that Means may be devised for enabling Congregations to rent or purchase Ground on Reasonable Conditions.—By Viscount Clive, and Lord Henry Lennox, from several places, against the Union of the Sees of Saint Asaph and Bangor, but at the same time providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. Smollett, from Moderator and Remanent Members of the Synod of Lothian and Tweeddale, against the Abolition of Religious Tests in the Scottish Universities.—By Lord Henry Lennox, from Guardians of the Westbourne Union, and by Viscount Morpeth, from Ratepayers of Snaith and South Crossland, against the Highways Bill.—From Minister and Members of the Remonstrant Presbyterian Congregation of Ballymoney, for the Total Abolition of Capital Punishment.

PLACES OF WORSHIP, &c. SITES (SCOTLAND) BILL.

MR. F. MAULE said, that although he found he could not, with any prospect of advantage, attempt to proceed further with this Bill, he was happy to observe that its introduction had not been without good effect, for since the measure had been under the consideratien of the House, two noble Lords—the Earl of Cawdor and another—had given sites for places of worship, and he hoped their example would be followed. He now moved that the Order of the Day for the Adjourned De-

bate on the Second Reading of the Bill be discharged.

SIR J. GRAHAM expressed his satisfaction at the information communicated by the right hon. Gentleman, who, he thought, exercised a wise discretion in not pressing the Bill under the circumstances. He joined with the right hon. Gentleman in the hope that the example of the two noble Lords to whom he had referred would be imitated, and that the measure would be rendered unnecessary.

Order discharged.

The several Orders of the Day having been disposed of, the House adjourned at half-past Seven o'clock.

[All business was postponed, it being understood that in consequence of the vote on the previous evening the Ministry was at an end.]

HOUSE OF LORDS,

Monday, June 29, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Sugar Duties.

PETITIONS PRESENTED. From Newcastle upon Tyne, and several other places, for the Better Observance of the Sabbath, and for the Prevention of the Sale of Intoxicating Liquors on that Day.—From the Parishes of Limehouse and St. John, Wapping, for the Prevention of Sunday Trading.

THE OREGON TERRITORY.

LORD BROUGHAM: Seeing my noble Friend the Secretary for the Foreign Department in his place, I beg to put a question to him as to certain reports which have been put into circulation. I allude to reports of a most consolatory, and, I may add, most gratifying nature, which appear in the public prints of America and of this country, and which lead me to hope and trust, even in these times of false news, that the troublesome and in every respect disagreeable matter between us and the United States as to the Oregon territory and the boundary of that territory has been brought to an amicable conclusion, and to one which is honourable for both parties.

The EARL of ABERDEEN: My Lords, I have been occasionally questioned by noble Lords on the other side of the House, and especially by a noble Friend, a noble Earl whom I do not now see in his place (the Earl of Clarendon), as to the progress of our negotiations with the United States. These inquiries, I always felt, were directed to me in the most friendly and conciliatory manner. So far from feeling any embarrassment or impediment from them in the way of the negotiations, I have always felt that my noble Friend was desirous to assist in promoting an adjustment. Perhaps, on this occasion, I might have ventured, without the pressure of any direct interpellation, to enter into a few details as to that gratifying result, the substance of which only is as yet known. When I had last occasion to reply to my noble Friend, the state of the negotiations was this—the President had sent his Message to the Senate with a direct refusal of our repeated proposals to submit the whole question to arbitration. That being the case, my Lords, I felt that nothing could be done at that moment till the Senate and House of Representatives should have taken some steps in consequence of that Message. I waited, therefore, the result of that communication so made by the President. When I saw that the Senate and the House of Representatives had adopted Resolutions of such a conciliatory and friendly description, I did not delay for a moment, putting aside all ideas of diplomatic etiquette, which might have led me to expect that some steps would be taken on the other side; but, without waiting a moment, I prepared the draught of a convention, which was sent by the packet of the 18th of May to Mr. Pakenham, to be proposed for the acceptance of the United States Government. I have brought with me a letter from Mr. Pakenham, which I received this morning, and from which I shall read an extract. The letter is dated the 13th of June; and Mr. Pakenham says—

"In conformity with what I had the honour to state in my despatch No. 68, of the 7th instant, the President sent a Message on Wednesday last to the Senate, submitting for the opinion of that body the draught of a convention for the settlement of the Oregon question, which I was instructed by your Lordship's despatch No. 19, of the 18th of May, to propose for the acceptance of the United States' Government. After a few hours' deliberation on each of the three days, Wednesday, Thursday, and Friday, the Senate, by a majority of thirty-eight votes to twelve, adopted yesterday evening a Resolution advising the President to accept the terms proposed by Her Majesty's Government. The President did not hesitate to act on this advice; and Mr. Buchanan accordingly sent for me this morning, and informed me that the conditions offered by Her Majesty's Government were accepted by the Government of the United States, without the addition or alteration of a single word."

Gratifying as this intelligence is, I feel it is but an act of duty and justice, as well as a pleasure, that I should bear the tribute of my testimony to the most

friendly and conciliatory course which has been adopted by the United States Minister in this country. That gentleman I have long known, and long had reason to esteem in official intercourse fifteen or sixteen years ago; and I am perfectly certain, that, by every means in his power, he has contributed to this result. I am well assured that there is no person in this House, or in the country, who more cordially participates in the feeling of satisfaction which it is fitted to produce than Mr. M'Lane.

RESIGNATION OF MINISTERS.

The DUKE of WELLINGTON: My Lords, I have to announce to your Lordships that Her Majesty's servants have tendered to Her Majesty their resignation of the offices which they held in Her Majesty's service; in consequence of which Her Majesty has sent for a certain noble Lord, with a view to form another Administration, for the purpose of conducting the affairs of the Government of this country. My Lords, this information will probably induce your Lordships to think it would be desirable to suspend the discussion of measures which might become matters of controversy in this House, until those who are to have the honour of being Her Majesty's servants in public office should have an opportunity of forming their arrangements, and should be able to come down to this House and transact the public business. My Lords, there is one question fixed for consideration in this House on Thursday next. I see a noble Friend near me (the Earl of Powis), who has given notice of his intention to move the second reading of the Bangor and St. Asaph's Bill on Thursday next. I would submit to him the expediency of postponing his Motion for the second reading of that Bill till Her Majesty's servants shall be in the House to attend to the discussion which may be expected to take place upon it, as Her Majesty has an interest in that measure. My Lords, there are some measures which require your Lordships' immediate attention, and one of which, in all probability, will be on the Table of the House this day—I mean a short Sugar Bill, continuing the duties on sugar for one month, from the 5th of July next, which it is desirable should pass this House without delay, whoever may be Her Majesty's servants. Under these circumstances I rather advise that your Lordships should not adjourn, but continue sitting from day to day, with the view of passing that measure; but that the consideration of measures which may become matter of controversy should be postponed till Her Majesty's servants shall be in your Lordships' House to attend to Her Majesty's service and to the transaction of public affairs.

[This proposal having met the general approval of the House, several notices were postponed.]

House adjourned.

HOUSE OF COMMONS,

Monday, June 29, 1846.

MINUTES.] PUBLIC BILLS. — 2°. Commons Inclosure (No. 2).

3°. and passed. Sugar Duties; Coroners (Ireland); Spitalfields New Street.

PETITIONS PRESENTED. By Colonel Paget, from Inhabitants of Anglesey and its Neighbourhood, for the Adoption of Measures for promoting the Due Observance of the Lord's Day.—By Viscount Clive, Mr. Du Pre, Mr. Fuller, and Mr. Charles Round, from a great number of places, against the Union of the Sees of Saint Asaph and Bangor, but at the same time providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. Du Pre, from Guardians of the Poor of the Winslow Union, praying that Owners of Small Tenements may be rated to the Poor Rates in lieu of Occupiers.—By Viscount Sandon, from the Liverpool Academy of Arts, in favour of the Art Unions Bill.—By Mr. Du Pre, from Attorneys and Solicitors practising in the County of Buckingham, for Removal of Courts of Law and Equity to Inns of Court.—By Viscount Sandon, from Liverpool, for Inquiry into the Treatment of Criminal Offenders.—By Mr. M'Carthy, from Fishermen, Seamen, and other Inhabitants of the Port and Town of Dungarvan and Abbeyside, for Alteration of Law respecting Fisheries (Ireland).—By Sir William Somerville, from Tallow Chandlers of the City of Dublin, against the Abolition of the Minor Guilds of Dublin, and praying for a full and free Inquiry.—By Mr. Sotheron, from Occupiers of Land in the Parish of Erchfont, for permitting the Destruction of Hares and Rabbits.—By several hon. Members, from various places, against the Highways Bill.—By Mr. Sotheron, from Ratepayers of the Parish of Highworth, for Alteration of the Poor Removal Bill.

RESIGNATION OF THE MINISTRY.

SIR ROBERT PEEL: Mr. Speaker, I feel it to be my duty to avail myself of the earliest opportunity of notifying to this House, that in consequence of the position of Her Majesty's Government, and especially in consequence of the vote to which the House came on the night of Thursday last, refusing to give to Her Majesty's servants those powers which they deemed necessary for the repression of outrage and the protection of life in Ireland, they have felt it to be their duty to tender their resignation to a gracious Sovereign. The resolution to tender that resignation was unanimously agreed to by Her Majesty's servants, and adopted without hesita-

tion. If I had any complaint to prefer with respect to the course pursued by the House, this is not the occasion on which I would make it. It is impossible not to feel that the occasion of a complete change in the councils of a vast Empire, affecting, for weal or for wo, many millions of the Queen's subjects in nearly all parts of the habitable globe, is an important, I might almost say, a solemn occasion. It is not upon such an occasion that one word ought to be uttered by a Minister of the Crown, acting in homage to constitutional principles, that can by possibility provoke party controversy. Such controversy would be wholly unsuited to the magnitude of the occasion; and, I must add, that to provoke any such controversy would be entirely at variance with the personal feelings which influence me in addressing this House. Those feelings would rather prompt me to acknowledge with gratitude the many occasions on which, speaking of the great body of the Gentlemen who sit on this side of the House, they have given to my Colleagues and myself, at a period antecedent to the present Session, their generous and cordial support. They would prompt me also to acknowledge with gratitude the disinterested aid which we have not unfrequently received from Gentlemen opposite, in oblivion of party differences. I trust, therefore, that nothing will escape from me in explaining the course Her Majesty's Government have thought it their duty to pursue, that can run the risk of provoking the controversy which I deprecate.

Her Majesty, Sir, has been graciously pleased to accept our tender of resignation, and Her servants now only hold their offices until their successors shall have been appointed. I said, Sir, that if I had complaints to prefer, this is not the occasion on which I would prefer them. But I have no complaints to make. I did not propose the measures connected with the commercial policy of the Empire, which have been so severely contested, without foreseeing the great probability that, whether those measures should succeed or fail, they must cause the dissolution of the Government which introduced them. And, therefore, I rather rejoice that Her Majesty's Ministers have been relieved from all difficulty, by an early and unambiguous decision of the House of Commons; for I do not hesitate to say, that even if that decision had been in our favour on the particular vote, I would not have consented to hold office upon sufferance or through, the mere evasion of Parliamentary difficulties. It is not for the public interest that a Government should remain in office when it is unable to give practical effect to the measures it believes necessary for the national welfare; and I certainly do not think it probable, in the position in which Her Majesty's Government were placed by the withdrawal—perhaps the natural withdrawal—of the confidence of many of those who heretofore had given it support, that even if the late vote had been in our favour, Ministers would have been able with credit to themselves, and with advantage to the interests of the country, to conduct the administration of public affairs.

We have advised Her Majesty to accept our resignation at once, without adopting that alternative to which we might have resorted, namely, recommending to the Crown the exercise of its prerogative, and the dissolution of the present Parliament. I do not hesitate to avow, speaking with a frankness that I trust will offend no one, that if Her Majesty's Government had failed in carrying, in all their integrity, the main measures of commercial policy which it was my duty to recommend, that there is no exertion that I would not have made—no sacrifice that I would not have incurred—in order, to ensure the ultimate success of those measures, or at any rate to give the country an opportunity of pronouncing its opinion on the subject. For such a purpose, I should have felt justified in advising dissolution; because I think the continuance of doubt and uncertainty on such important matters, would have been a greater evil than the resort to a constitutional mode of ascertaining the opinion of the nation. But there has been fortunately no necessity for a dissolution of Parliament upon that ground. Those who dissented most strongly from our commercial policy, withdrew all factious and unseemly opposition, and, protesting against our measures, they have finally allowed them to pass. Those measures having thus become the law, I do not feel that we should be justified, for any subordinate considerations, for the mere interests of Government or party, in advising the exercise of the prerogative to which I have referred, and the dissolution of Parliament. I feel very strongly that no Administration is justified in advising the exercise of that prerogative unless there be a reasonable presumption, a strong moral conviction indeed, that after dissolution

they would be enabled to administer the affairs of the country through the support of a party sufficiently powerful to carry their measures. I do not think a dissolution justifiable for the purpose merely of strengthening a party. The power of dissolution is a great instrument in the hands of the Crown; and it would have a tendency to blunt the instrument if it were employed without grave necessity. If the purpose were to enable the country to decide whether Ministers had been justified in proposing the measures of commercial policy brought forward at the beginning of the Session, those measures having passed into a law, I do not think such a purpose alone would be a sufficient ground for a dissolution. There ought also to be a strong presumption that, after a new election there would be returned to this House a party with strength sufficient to enable the Government, by their support, to carry on that system of public policy of which it approved. I do not mean a support founded upon mere temporary sympathy, or a support founded upon concurrence in one great question of domestic policy, however important. We ought not, in my opinion, to dissolve without a full assurance that we should have the support of a powerful party united with us by accordance in general views and principles of government. In the present state and divisions of party, and after all that has occurred, I do not entertain a confident hope that a dissolution would give us that support. I think, too, that after the excitement that has taken place—after the stagnation of trade that has necessarily followed our protracted discussions on the Corn Laws and the Tariff, it is not an advantageous period for a dissolution, but that the country should be allowed an interval of tranquillity and repose. We have, therefore, on these several grounds preferred instant resignation to the alternative of dissolution.

The question on which we were defeated, was one connected with Ireland. I should, indeed, deeply lament that defeat, if it could be thought that the measure we proposed for the repression of outrage in Ireland was an indication that Her Majesty's servants held any opinion in regard to the policy to be pursued towards that country different from that which I declared towards the close of the last Session. To the opinions I then avowed—opinions which had practical effect given to them by the measures we proposed—by such measures, for example, as the Charitable Bequests Act, and by the vote for the enlarged endowment of the College of Maynooth—I now profess my entire and unqualified adherence. We brought forward the measure against which the House has recently decided, not under the belief that resistance to the contagious spread of crime, and a vigorous repression by law of offences disgracing some parts of the country, were in themselves calculated permanently to improve the social condition of Ireland; but we thought that the restoration and maintenance of order were necessary preliminaries to the success of ulterior legislation for the improvement of the condition of the people. The House, however, has decided otherwise, and I am not about to arraign that decision. I only deprecate the inference that, because we proposed that Bill, which some called a measure of coercion, but which we considered a measure necessary for the protection of life, our views in regard to the policy to be pursued towards Ireland have undergone a change. Speaking for myself, I do not hesitate to avow the opinion, that there ought to be established a complete equality of municipal, civil, and political rights, as between Ireland and Great Britain. By complete equality I do not mean—because I know that is impossible—a technical and literal equality in every particular respect. In these matters, as in matters of more sacred import, it may be that "the letter killeth, but the spirit giveth life;" and I speak of the spirit and not of the letter in which our legislation, in regard to franchise and privilege, ought to be conducted. My meaning is, that there should be a real and substantial equality of political and civil rights, so that no person, viewing Ireland with an unbiassed eye, and comparing the civil franchises of Ireland with those of England or of Scotland, shall be able to say with truth, that a different rule has been adopted towards Ireland, and that on account of hostility or suspicion or distrust, civil freedom is there curtailed and mutilated. That is what I mean by equality in legislating for Ireland in respect to civil franchise and political rights.

With regard to the Executive Administration in Ireland, I think the favour of the Crown ought to be bestowed, and the confidence of the Crown reposed, without reference to religious distinctions. It may appear that we have not practically acted on that principle; but it is not because we repudiate it or deny its justice. When

we have taken the opportunity of manifesting confidence in any member of the Roman Catholic body, I cannot say that justice has been done to our motives, nor has the position of the individual accepting a mark of favour from us been such as to encourage other Roman Catholics to receive similar proofs of confidence. Those who succeed us in the Government of Ireland may have better means of carrying that principle into execution; and if they act upon it, and bestow the favour and confidence of the Crown without reference to religious differences, they shall hear no complaint from me on that ground.

Then, Sir, with respect to the general spirit in which our legislation for Ireland should be conducted. Adhering to all the opinions which I have heretofore expressed on the greater and more important points of Irish policy, I am at the same time prepared to co-operate with those who feel the present social condition of the people in respect to the tenure of land, and to the relation between landlord and tenant, to be one that deserves our immediate though most cautious consideration. It may be impossible, by legislation, to apply any instant remedy to the state of affairs which unfortunately exists in that country; but, even if the benefit be necessarily remote, that very circumstance ought to operate as an additional stimulus to us to apply our minds without delay to the consideration of a subject of equal difficulty and importance. On all those matters connected with the tenure of land and the relation of landlord and tenant—I would uphold the rights of property. There may be occasionally a seeming temporary advantage in disregarding those rights—but the ultimate and permanent benefit of strictly maintaining them greatly preponderates. The course we have taken during this Session of extreme pressure of public business is a sufficient proof that there has been no disinclination on our part to consider the amendment of the law in respect to the tenure and improvement of landed property in Ireland, nor will there be any disinclination to co-operate in our private capacities with those on whom the public trust committed to us is about to be devolved.

Sir, I have reason to believe that the noble Lord the Member for the city of London has been commanded by the Queen to repair to Her Majesty for the purpose of rendering his assistance in the formation of a Government. I presume the general principle upon which the Government to be formed by the noble Lord will act, so far as its commercial policy is concerned, will be the continued application of those principles which tend to establish a freer intercourse with other countries. If that policy be pursued, as I confidently expect it will, I shall feel it to be my duty to give to the Government, in the furtherance of it, my cordial support. If other countries choose to buy in the dearest market, such an option on their part constitutes no reason why we should not be permitted to buy in the cheapest. I trust the Government of the noble Lord will not resume the policy which they and we have felt most inconvenient, namely, the haggling with foreign countries about reciprocal concessions, instead of taking that independent course which we believe to be conducive to our own interests. Let us trust to the influence of public opinion in other countries—let us trust that our example, with the proof of practical benefit we derive from it, will at no remote period insure the adoption of the principles on which we have acted, rather than defer indefinitely that which *per se* is advantageous to ourselves, in the hope of obtaining by delay equivalent concessions from other countries. Sir, when I express the confident hope that these general principles will influence the commercial policy of the new Government, I do not advise that the adoption of them should overrule every moral consideration, or should at once subject every species of production in this country to competition with other nations. I speak generally as to the tendency of our commercial policy. I trust that every step that is taken will be towards the relaxation of restriction upon trade. I, for one, shall not urge upon the Government a hasty and precipitate adoption of principles sound in themselves, if through the abrupt and sudden application of them, we incur the risk of a great derangement of the social system. I shall bear in mind that vast experiments have been recently made under the present Administration—I shall bear in mind also, that the surplus amount of public revenue is smaller than it ought to be, consistently with the permanent interests of the country. While, therefore, I offer a cordial support in enforcing those general principles of commercial policy which have received the sanction of Parliament in the present Session, I shall not urge the Government to any such simultaneous and precipitate extension of them

as may be either injurious to interests entitled from special circumstances to some degree of continued protection, or may incur the risk of deranging the financial system of the country. In delivering these opinions, I am bound to say that I am rather indicating my own intentions and the course I shall individually pursue, than that I have had the opportunity of conferring with others, and am authorized to speak their sentiments. I cannot doubt, however, that those who gave their cordial concurrence to the commercial measures which I have proposed, will be ready to give their general acquiescence and support to measures of a similar character when proposed by others.

Sir, I do not know that it is necessary that I should make any other declarations as to the future, than those I have already made. I wish to draw no invidious contrast with preceding Administrations; I wish to make no allusions in a hostile spirit; but I cannot surrender power without expressing the confident belief that, during the five years for which power has been committed to our hands, neither the interests nor the honour of this country have been compromised. I can say with truth that, during that period, the burden of taxation has been rendered more equal, and that the pressure which was unjust and severe on many classes of Her Majesty's subjects has been greatly mitigated. I can say with truth, that many restrictions upon commerce injuriously affecting the trade of this country have been removed. Without interfering with legitimate speculation, without paralysing, or at all deranging the credit of the State, stability has been given to the monetary system of this country; and let me here acknowledge with gratitude the cordial support which (without reference to party distinctions) the measures I proposed with regard to the Bank of England, the joint-stock banks, and the private banks of this country, received in the year 1843. Sir, I trust also that the stability of our Indian Empire has not been weakened by the policy we have pursued; and that the glory and honour of the British arms both by sea and land in every part of the world have been maintained, not through our exertions, but through the devoted gallantry of the soldiers and sailors of this country. Although there have been considerable reductions in the public burdens, yet I have the satisfaction of stating to the House that the national defences both by sea and land have been greatly improved, and that the army and navy are in the most efficient state. I trust, likewise, that I may congratulate the House, that, notwithstanding a great diminution of the fiscal burdens of the Empire, our finances are in a prosperous and a buoyant state, and that on the 5th July next the Return to be laid upon the Table will prove there has been an increased consumption of almost every article subject to customs and excise duties, and that general prosperity and the demand which it occasions have supplied the void in our finances that would otherwise have been created. Lastly, I can say with truth, that without any harsh enforcement of the law, without any curtailment of the liberty of the subject, or the freedom of the press, there has been, speaking at least of Great Britain, as much of obedience and submission to the law as at any period of our history. Nay, I will say more—that in consequence of greater command over the necessaries and minor luxuries of life—in consequence, too, of confidence in the just administration of the law, and in the benevolent intentions of Parliament, there has been more content, less sedition and public crime, less necessity for the exercise of power for the repression of political disaffection or outrage, than was ever known at any antecedent period. I said "lastly;" but I have reserved one topic, for which I think, without any unseemly boast, or invidious comparison, I may claim credit for Her Majesty's Councils—at least for that distinguished man, less conspicuous perhaps, in debate, than some others, but fully as deserving of public honour and respect—on account of the exertions he has made for the maintenance of peace—I mean my noble Friend the Secretary of State for Foreign Affairs. My noble Friend has dared to avow that there is a moral obligation upon the Christian Minister of a Christian country to exhaust every effort for the maintenance of peace, before incurring the risk, not to say the guilt, of war. But while he has not shrunk from the manly avowal of that opinion, I will in justice to him add this—and it is perfectly consistent with that opinion, as to the moral obligation of maintaining peace while peace can be maintained with honour—that there never was a Minister less inclined to sacrifice any essential interest, or to abate anything from the dignity and honour of this country, even for the purpose of securing that inestimable

blessing. Sir, I do confidently trust that we leave the foreign relations of this country in a satisfactory state—that, speaking not only of France, but of the other great Powers of Europe, there is entire confidence in the honourable intentions of this country, and a real desire on the part of the Governments of other Powers to co-operate with us in the maintenance of peace. Sir, it is the spirit of mutual confidence on the part of public men, the Ministers of great countries, which most facilitates the maintenance of general peace. Let it be remembered that we necessarily and frequently come in contact with France in various and sometimes very distant quarters of the world—that there are on both sides employed in the public service warm partisans, naturally, perhaps justly, jealous of the honour of their respective countries—that grounds of quarrel, small in themselves, inflamed by the spirit of rivalry and keen sense of national honour, might easily be fomented into the causes of war, desolating nations, unless the counsels of the great Powers were presided over by Ministers of comprehensive views, who, feeling peace to be the true interest of the civilized world, are determined that trifling disputes, and the excited passions of angry partisans, shall not involve their respective countries in the calamities of war.

Sir, if anything could have induced me to regret that decision on the part of the House which terminates the existence of the Government, it would have been the wish that we should survive the day when intelligence might be received from the United States as to the result of our last attempt to adjust the differences with that country—differences which, unless speedily terminated, must probably involve both countries in the necessity of an appeal to arms. The House will probably recollect that, after we had offered to leave the dispute respecting the territory of the Oregon to arbitration, and that offer had been rejected, the President of the United States sent a Message to the Congress, which led to discussions with regard to the termination of the convention entered into several years since, which provided for a temporary adjustment of our differences—at least, for a temporary avoidance of quarrel—and enabled the two countries jointly to occupy the territory of the Oregon. The two Houses of the American Congress, advised the President of the United States to exercise his unquestionable power, and to signify to this country the desire of the United States to terminate after the lapse of a year the existing convention. They, however, added to that advice, which might, perhaps, otherwise have been considered of an unsatisfactory or hostile character, the declaration that they desired the notice for the termination of the convention to be given, in order that an amicable adjustment of the dispute between the two countries might thereby be facilitated. It appeared to us that the addition of that conciliatory declaration—the expression of a hope that the termination of the convention might the more strongly impress upon the two countries the necessity of amicable adjustment—removed any barrier which diplomatic punctilios might have raised to a renewal by this country of the attempt to settle our differences with the United States. We did not hesitate, therefore, within two days after the receipt of that intelligence—we did not hesitate, although the offer of arbitration made by us had been rejected, to do that which, in the present state of the protracted dispute, it became essential to do—namely, not to propose renewed and lengthened negotiations, but to specify frankly and without reserve, what were the terms on which we could consent to a partition of the country of the Oregon. Sir, the President of the United States met us in a corresponding spirit. Whatever might have been the expressions heretofore used by him, however strongly he might have been personally committed to the adoption of a different course, he most wisely and patriotically determined at once to refer our proposals to the Senate—that authority of the United States whose consent is requisite for the conclusion of any negotiation of this kind; and the Senate, acting also in the same pacific spirit, has, I have the heartfelt satisfaction to state, at once advised acquiescence in the terms we offered. From the importance of the subject, and considering that this is the last day I shall have to address the House as a Minister of the Crown, I may, perhaps, be allowed to state what are the proposals we made to the United States for the final settlement of the Oregon question. In order to prevent the necessity for renewed diplomatic negotiations, we prepared and sent out the form of a convention, which we trusted the United States would accept. The first article of that convention was to this effect, that—

"From the point on the 49th parallel of north latitude, where the boundary laid down in existing

treaties and conventions between Great Britain and the United States terminates, the line of boundary between the territories of Her Britannic Majesty and those of the United States shall be continued westward along the said 49th parallel of north latitude to the middle of the channel which separates the continent from Vancouver's Island, and thence southerly through the middle of the said chanuel, and of Fuca's Straits, to the Pacific Ocean; provided, however, that the navigation of the said channel and straits, south of the 49th parallel of north latitude, remain free and open to both parties."

Those who remember the local conformation of that country will understand that that which we proposed is the continuation of the 49th parallel of latitude till it strikes the Straits of Fuca; that that parallel should not be continued as a boundary across Vancouver's Island, thus depriving us of a part of Vancouver's Island, but that the middle of the channel shall be the future boundary, thus leaving us in possession of the whole of Vancouver's Island, with equal right to the navigation of the Straits. Sir, the second article of the convention we sent for the acceptance of the United States was to this effect, that—

"From the point at which the 49th parallel of north latitude shall be found to intersect the great northern branch of the Columbia river, the navigation of the said branch shall be free and open to the Hudson's Bay Company, and to all British subjects trading with the same, to the point where the said branch meets the main stream of the Columbia, and thence down the said main stream to the ocean, with free access into and through the said river or rivers, it being understood that all the usual portages along the line thus described shall in like manner be free and open. In navigating the said river or rivers, British subjects, with their goods and produce, shall be treated on the same footing as citizens of the United States, it being, however, always understood that nothing in this article shall be coustrued as preventing, or intended to prevent, the Government of the United States from making any regulations respecting the navigation of the said river, or rivers, not inconsistent with the present Treaty."

Sir, I will not occupy the attention of the House with the mere details of this convention. I have read the important articles. On this very day, on my return from my mission to Her Majesty to offer the resignation of Her Majesty's servants, I had the satisfaction of finding an official letter from Mr. Pakenham, intimating in the following terms the acceptance of our proposals, and giving an assurance of the immediate termination of our differences with the United States:—

"Washington, June 13, 1846.

"My Lord—In conformity with what I had the honour to state in my despatch, No. 68, of the 7th instant, the President sent a message on Wednesday last to the Senate, submitting for the opinion of that body the draught of a convention for the settlement of the Oregon question, which I was instructed by your Lordship's despatch, No. 19, of the 18th of May, to propose for the aeceptance of the United States.

"After a few hours' deliberation on each of the three days, Wednesday, Thursday, and Friday, the Senate, by a majority of 38 votes to 12, adopted yesterday evening a Resolution advising the President to accept the terms prsposed by Her Majesty's Government. The President did not hesitate to act on this advice, and Mr. Buchanan accordingly sent for me this morning, and informed me that the conditions offered by Her Majesty's Government were accepted by the Government of the United States, without the addition or alteration of a single word.—I have the honour to be, &c.

"R. Pakenham.

"The Right Hon. the Earl
of Aberdeen, K. T., &c."

Thus, Sir, the Governments of two great nations, impelled, I believe, by the public opinion of each country in favour of peace—by that opinion which ought to guide and influence statesmen—have, by moderation, by mutual compromise, averted the dreadful calamity of a war, between two nations of kindred origin and common language, the breaking out of which might have involved the civilized world in general conflict. A single year, perhaps a single month of such a war, would have been more costly than the value of the whole territory that was the object of dispute. But this evil has been averted consistently with perfect honour on the part of the American Government, and on the part of those who have at length closed, I trust, every cause of dissension between the two countries. Sir, I may add, to the credit of the Government of this country, that, so far from being influenced in our views in regard to the policy of terminating these disputes about the Oregon by the breaking out of the war between the United States and with Mexico, we distinctly intimated to Mr. Pakenham, that although that event had occurred, it did not affect, in the slightest degree, our desire for peace. Mr. Pakenham, knowing the real wishes and views of his Government, having a discretionary power in certain cases to withhold the proposals we had instructed him to make, wisely thought the occurrence of Mexican hostilities with the United States was not one of the cases which would justify the exercise of that discretionary power, and therefore most wisely

did he tender this offer of peace to the United States on the impulse of his own conviction, and in full confidence in the pacific policy of his own Government. Let me add also, and I am sure this House will think it to the credit of my noble Friend, that on the occurrence of these hostilities between Mexico and the United States, before we were aware of the reception which the offer on our part in respect to the Oregon would meet with, the first packet that sailed tendered to the United States the offer of our good offices for the purpose of mediation between them and the Mexican Government. Sir, I do cordially rejoice, that, in surrendering power at the feet of a majority of this House, I have the opportunity of giving them the official assurance that every cause of quarrel with that great country on the other side of the Atlantic is amicably terminated.

Sir, I have now executed the task which my public duty imposed upon me. I trust I have said nothing which can lead to the revival on the present occasion of those controversies which I have deprecated. Whatever opinions may be held with regard to the extent of the danger with which we were threatened from the failure in one great article of subsistence, I can say with truth that Her Majesty's Government, in proposing those measures of commercial policy which have disentitled them to the confidence of many who heretofore gave them their support, were influenced by no other motive than the desire to consult the interests of this country. Our object was to avert dangers which we thought were imminent, and to terminate a conflict which, according to our belief, would soon place in hostile collision great and powerful classes in this country. The maintenance of power was not a motive for the proposal of these measures; for, as I said before, I had not a doubt, that whether these measures were accompanied by failure or success, the certain issue must be the termination of the existence of this Government. It is, perhaps, advantageous for the public interests that such should be the issue. I admit that the withdrawal of confidence from us by many of our friends was a natural result. When proposals are made, apparently at variance with the course which Ministers heretofore pursued, and subjecting them to the charge of inconsistency—it is perhaps advantageous for this country, and for the general character of public men, that the proposal of measures of that kind, under such circumstances, should entail that which is supposed to be the fitting punishment, namely, expulsion from office. I, therefore, do not complain of that expulsion. I am sure it is far preferable to the continuance in office without a full assurance of the confidence of this House. I said before, and I said truly, that in proposing our measures of commercial policy, I had no wish to rob others of the credit justly due to them. I must say, with reference to hon. Gentlemen opposite, as I say with reference to ourselves, that neither of us is the party which is justly entitled to the credit of them. There has been a combination of parties generally opposed to each other, and that combination, and the influence of Government, have led to their ultimate success; but the name which ought to be associated with the success of those measures is not the name of the noble Lord, the organ of the party of which he is the leader, nor is it mine. The name which ought to be, and will be, associated with the success of those measures, is the name of one who, acting, I believe, from pure and disinterested motives, has, with untiring energy, made appeals to our reason, and has enforced those appeals with an eloquence the more to be admired because it was unaffected and unadorned: the name which ought to be chiefly associated with the success of those measures, is the name of RICHARD COBDEN.

Sir, I now close the observations which it has been my duty to address to the House, thanking them sincerely for the favour with which they have listened to me in performing this last act of my official career. Within a few hours, probably, that power which I have held for the period of five years will be surrendered into the hands of another — without repining — without complaint on my part—with a more lively recollection of the support and confidence I have received during several years, than of the opposition which during a recent period I have encountered. In relinquishing power, I shall leave a name, severely censured I fear by many who, on public grounds, deeply regret the severance of party ties—deeply regret that severance, not from interested or personal motives, but from the firm conviction that fidelity to party engagements—the existence and maintenance of a great party—constitutes a powerful instrument of government: I shall surrender power severely censured also, by others who, from no interested motive, adhere to the principle of protection, consider-

ing the maintenance of it to be essential to the welfare and interests of the country: I shall leave a name execrated by every monopolist who, from less honourable motives, clamours for protection because it conduces to his own individual benefit; but it may be that I shall leave a name sometimes remembered with expressions of good will in the abodes of those whose lot it is to labour, and to earn their daily bread by the sweat of their brow, when they shall recruit their exhausted strength with abundant and untaxed food, the sweeter because it is no longer leavened by a sense of injustice.

When the cheering which followed the close of this speech had subsided,

Sir R. PEEL said: I have received a communication from the noble Lord whose services have been required by Her Majesty; and I trust, in conformity with his wish, the House will unanimously support the Motion I shall now make, namely, that the House at its rising do adjourn till Friday next.

Viscount PALMERSTON: I do not rise, Sir, for the purpose of opposing the recommendation of the right hon. Baronet, that this House, at its rising, should adjourn to Friday next; neither do I at all differ from him in thinking that upon the present important occasion we should abstain from entering upon any topics likely to produce discussion. I entirely concur with him in thinking that we should, just at this moment, do nothing to renew party difficulties or revive past differences. Although that was the language held by the right hon. Baronet himself at the commencement of his speech, yet there can be no doubt that in the subsequent part of his observations, led away excusably by his own feelings, he did advert to topics which might have led some hon. Members who sit at this side of the House into a discussion of a different character from that which ought to characterize the present proceedings. I do wish, Sir, to state to the House, that if I abstain from following the right hon. Baronet through any of those topics which he has touched upon connected with his five years' Administration, I beg it to be understood that I am not thereby abandoning or retracting any of the opinions which I may have expressed, and which others may have expressed in this House on many occasions, with respect to the policy of the Government, and that our silence may not be construed into an acquiescence in that—I may say—general commendation which he has passed on the measures of his Government. Sir, I agree with the right hon. Baronet, that he has shown a proper deference to constitutional principle in bowing to the opinion—manifestly and clearly expressed—of the House of Commons. And I think he is perfectly right in having said that this would not have been an occasion on which it would have been becoming or proper in him to have advised the Crown to exercise its prerogative of dissolving the Parliament, and going to a new election. I agree with him, that no Government could stand in England with parties so divided as they are at present—that no Government could rest upon a minority of this House, and that it would be evidently inexpedient to dissolve Parliament at a time when there was no prospect of converting that minority into a majority. For these reasons, then, it is clear that the right hon. Baronet did best by not resorting to the course of dissolving Parliament. There were many parts of the speech which the House has just heard from the right hon. Baronet, I have listened to with much pleasure. I was glad to hear, for example, the principles which he put forth with respect to the government of Ireland. I rejoiced to hear him recognise the right of that people to every privilege—civil, political, and municipal—that difference of religious opinions was not in future to affect the policy pursued towards the people of Ireland—and that the employments disposable by the Government ought to be distributed freely, without reference to the religious sentiments of those who might become the candidates for such employments. If I were disposed to treat the speech of the right hon. Baronet in a different spirit, I might express some passing regret that the opinions which we have now heard him deliver, had not been expressed by him at a former period. But I propose to refrain from discussions of this character; and, upon the same account, I propose to avoid going into the question of the policy which we have pursued with respect to our Indian Empire. I will not stop to inquire whether it has or has not received in all its parts the unequivocal approbation of the House of Commons and of the country. Neither do I intend to touch some other topics which have entered into the composition of the right hon. Baronet's speech; though I may be again allowed to say, that the right hon. Baronet did not altogether so shape what he had to say, as not to afford

an inducement or opportunity for discussion. I should be sorry to leave one topic of the right hon. Gentleman's speech, after the deep pleasure which it has afforded: I mean the communication which he made, and which will be received with entire satisfaction, not only within the walls of Parliament, but throughout the country—that the unfortunate differences which have arisen between this country and the United States have been brought to a termination, which, as far as we can at present judge, seems equally favourable to both parties. It would be one of the greatest calamities which could happen under present circumstances, if two kindred nations, like Great Britain and the United States, were involved in the misfortunes of war—misfortunes, the remotest chance of which should not be incurred, except in the maintenance of great and paramount interests. With reference to a totally different subject, I am well pleased that the right hon. Baronet has availed himself of the opportunity which this occasion has afforded to say that in which the whole country will concur. The right hon. Baronet has well said, that the merit of this great commercial measure is not due to hon. Members on this side or on that side of the House; it is, on the contrary, due to the talent, the ability, the perseverance, and firmness of my hon. Friend the Member for Stockport. The right hon. Baronet has paid a just and deserved compliment to the name of Richard Cobden. When the House and the country look to the highest point in the history of these events, they will see the name of Richard Cobden—a man distinguished by great zeal and enlightenment in advancing a great and important change in our commercial code, and a man likewise who presents in his own person a distinguished result of that Parliamentary Reform carried by this side of the House, —a reform which has produced this among other great results, whatever might have been anticipated by hon. Gentlemen who now sit opposite. The true and original course which led the right hon. Baronet to propose a repeal of the Corn Laws was the fact that the Reform Bill had been previously passed. I have only to add, that I was, in the first place, anxious to express my congratulations with respect to the intelligence from America; and, in the second place, to enter my protest against its being supposed, that I did, upon the present occasion, acquiesce in any opinion different from those which hon. Members have been in the habit of hearing from this side of the House.

MR. HUME was anxious as a humble individual not to let the conversation close without saying one or two words. He had been long opposed to the right hon. Baronet; but he must congratulate the country on the right hon. Baronet's having brought his great measure to a successful termination. He had brought this country, by removing restrictions from our commercial code, to a situation to which the whole world would anxiously aspire. He considered that the right hon. Gentleman had rendered such a service to his country as would redound for ever to the honour of his name. When he came into office he found the country engaged in war, and he was sure that no consolation would be greater to the right hon. Baronet than that when he left office, he left it at peace with all the world. He had also by his great measure afforded fair and ample scope for the employment of capital and industry, and for which he deserved as much or more credit than any predecessor in office. He was satisfied when this measure was properly carried out that it would confer the greatest benefits on the civilized world; he therefore regretted that at this moment circumstances should compel the right hon. Baronet to resign the helm of power; and he was sure that his retirement was the source of regret and a matter of sympathy with millions. No one ever left power carrying with him so much of the sympathy of the people. He would venture to say that those hon. Gentlemen who were now opposed to him on this great question, would before many years elapsed regret the course which they had taken, and would become coverts to the system which he advocated. He individually felt the greatest gratitude to the right hon. Baronet for the manner in which he had carried out this great measure.

SIR R. INGLIS merely wished to make one observation with reference to the adjournment, although many passages in the speech of the right hon. Baronet, and, above all, the peroration of it, might tempt him into observations from which, however, he would abstain. He wished to know whether an adjournment would not be attended with inconvenience to private business. To-morrow was a day to receive reports on Private Bills; he therefore would appeal to the Speaker whether they might not meet at twelve o'clock each day merely for private business.

SIR R. PEEL said, that he had made the Motion for adjournment in compliance with the wish of the noble Lord; and in assenting to this he had suggested to the noble Lord that this adjournment might be attended with some inconvenience as far as regarded private business: he therefore had asked the noble Lord, whether he would object to the House meeting for private business, on the understanding that no public business should be taken. Since that he had received a note from the noble Lord, in which the noble Lord stated that he had no objection to private business being proceeded with.

MR. LABOUCHERE thought that the adoption of the suggestion would be attended with inconvenience. It would hardly be possible to secure a full attendance for private business, and few would be present besides those in some way interested. The business, therefore, would not be conducted in a satisfactory manner. If this suggestion was adopted, he would recommend the Vice President of the Board of Trade to attend when the private business was being conducted, and use his influence and give his advice as to the proceedings.

SIR G. CLERK should feel it to be his duty to attend, but he trusted that he should have the assistance of the right hon. Gentleman and other Members opposite.

MR. GREENE suggested that no opposed question should be brought forward. This would get over the difficulty.

The CHANCELLOR OF THE EXCHEQUER intended to make two Motions: the first was, that Committees should sit, notwithstanding the adjournment of the House; and that all reports for Private Bills, fixed for Tuesday, Wednesday, or Thursday, should be postponed until Friday. He thought that the objection of the right hon. Gentleman was one of a very serious nature. He did not think that the delay from Tuesday to Friday, in the report of a Bill, could be of any serious consequence.

House adjourned till Friday at half-past Seven.

HOUSE OF LORDS,

Tuesday, June 30, 1846.

MINUTES.] PUBLIC BILLS.—2 Judgment Creditors; Sugar Duties.

3ª. and passed. Vexatious Actions, Protection against; Sugar Duties.

PETITIONS PRESENTED. From Guardians of the Bradfield Union, for the Adoption of a Measure making the Landlords of Cottages where the Rents are under £6 liable to the Poor Rates.—From Commissioners of Supply of the County of Nairn, complaining of the inefficiency of the Present State of the Parochial Registers.

HOUSE OF LORDS,

Thursday, July 2, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Coroners (Ireland). *Reported.* Judgment Creditors.

THE SEES OF ST. ASAPH AND BANGOR BILL—MINISTERIAL ARRANGEMENTS.

The EARL of POWIS having given notice of his intention to move the second reading of these Bills to-morrow,

The MARQUESS of LANSDOWNE said: My Lords, before I came here this evening I was informed that a noble Lord opposite (the Earl of Powis) had given notice of his intention to bring forward a Motion for the second reading of a Bill having reference to the Welsh bishoprics. I rise for the purpose of suggesting to him the propriety of permitting some delay to take place before he carries that intention into effect. I am authorized by a noble Friend of mine—Lord John Russell—to state to your Lordships, that since your last meeting he has received Her Majesty's commands, and has accepted the commission, to construct a new Administration. I need not inform your Lordships that after that Administration shall have been constructed—if it should be constructed—some little time must necessarily elapse, connected with proceedings in the other House well known to your Lordships, before those whom Her Majesty may be pleased to select to be Her Ministers there shall be able to take their seats; and I think it will be admitted that there would be an obvious inconvenience in proceeding further with public business until the returns shall have taken place. Under these circumstances I venture to suggest to the noble Earl the expediency of deferring until this day fortnight the Motion he purposes to make for the second reading of the Bill in question. I can assure him that his doing so cannot possibly have the effect of defeating what I know to be his object, namely, that the measure should receive full consideration during the present Session. If he will kindly consent to accede to my request, I am sure that by this day fortnight the objection which now presents itself to the further discussion of the measure will no longer exist.

The EARL of POWIS admitted that it

was desirable that the discussion on this measure should not take place until Her Majesty's Ministers were in their places; and he accordingly would not hesitate in complying with the noble Marquess's suggestion that he should consent to a postponement. However, as a meeting would take place in the north of England on that day fortnight, at which many of their Lordships might desire to attend, he believed he would be best consulting their convenience by fixing a more remote day. He would suggest that the second reading of the Bill be deferred until Monday fortnight.

The second reading accordingly postponed.

House adjourned.

HOUSE OF LORDS,

Friday, July 3, 1846.

MINUTES.] PUBLIC BILLS.—*Received the Royal Assent.* Sugar Duties; Superintendent of Convicts; Railway Companies Dissolution; Friendly Societies.

PETITIONS PRESENTED. From Guardians of the Monmouth and Crickhowell Unions, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By the Bishop of London, from Parochial Authorities of Christ Church, Newgate Street, and St. Andrew, Holborn, to restrain all unnecessary Sunday Trading.—From Guardians of Stow-on-the-Wold Unions for the Adoption of a Measure making the Landlords of Tenements where the Rents are under £6 liable to the Poor Rates.—From Truro, for the Establishment of Public Baths and Washhouses.

HOUSE OF COMMONS,

Friday, July 3, 1846.

MINUTES.] NEW WRITS. For City of London, *v.* Lord John Russell, First Commissioner of the Treasury.—For Tiverton, *v.* Viscount Palmerston, Secretary of State.—For Devonport, *v.* Right Hon. Sir George Grey, Baronet, Secretary of State.—For Halifax, *v.* Charles Wood, Esq., Chancellor of the Exchequer.—For Yorkshire (West Riding), *v.* Viscount Morpeth, First Commissioner of Woods, &c.—For Taunton, *v.* Right Hon. Henry Labouchere, Steward of the Chiltern Hundreds.—For Nottingham Borough, *v.* Right Hon. Sir John Cam Hobhouse, Baronet, President of the Board of Control—For Edinburgh City, *v.* Right Hon. Thomas Babington Macaulay, Paymaster General; For Worcester City, *v.* Sir Thomas Wilde, Attorney General.—For Dungarvan, *v.* Right Hon. Richard Lalor Sheil, Master of the Mint.—For Perth Borough, *v.* Right Hon. Fox Maule, Secretary at War.—For Plymouth, *v.* Viscount Ebrington, Commissioner of the Treasury.—For Leith District of Burghs, *v.* Right Hon. Andrew Rutherfurd, Lord Advocate.—For Kirkcudbright, *v.* Thomas Maitland, Esq., Solicitor General for Scotland.

PUBLIC BILLS.—2°. Baths and Washhouses.

PETITIONS PRESENTED. By Mr. Duncan M'Neill, from Moderator and Remanent Members of the Presbytery of Mull, against the Abolition of Religious Tests in the Universities of Scotland.—By Mr. Sotheron, from Ratepayers of Farnborough and Cove, for Repeal or Alteration of Lunatics Act and Pauper Lunatics and Lunatic Asylums Act.—By Mr. Arthur Taylor, from Officers connected with the Administration of the Poor Laws in the Pershore Union, for a Superannuation Fund for Poor Law Officers.—By Lord G. Bentinck, from Inhabitants of the Parish of Castleacre, Norfolk, for Alteration of the Poor Removal Bill.

HOUSE OF LORDS,

Monday, July 6, 1846.

MINUTES.] PETITIONS PRESENTED. By the Duke of Richmond, from Guardians of the Bromsgrove Union, and from several other Poor Law Unions, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—From Inhabitants of Bath, for the Abolition of Capital Punishment.

BUSINESS OF THE HOUSE.

The MARQUESS of LANSDOWNE having presented a petition, said: I will take this opportunity of stating that under the merely ordinary circumstances attending a change of the Government, it might have been convenient to propose that your Lordships should adjourn for a short time, the number of writs that have been moved in the other House of Parliament, making it obviously impracticable and inexpedient to proceed with public business as usual, till some day in the next week. But it has been suggested that it would be extremely inconvenient if the private business were postponed; and therefore I propose that your Lordships shall continue to sit, with the understanding, however, that no public business shall be transacted till the writs which have been issued in consequence of the acceptance of office by Members of the other House of Parliament are duly returned. I shall, therefore, propose that your Lordships shall meet at four o'clock on the usual days of meeting; but merely for the purpose of receiving petitions and of swearing witnesses.

LORD STANLEY submitted, whether, if the House assembled so early as four o'clock, the sittings of the Committees might not be inconveniently curtailed?

The MARQUESS of LANSDOWNE had no objection that the House should continue to meet as usual at five o'clock.

LORD BROUGHAM was not aware how the absence of hon. Gentlemen from the other House of Parliament should interfere with the progress of business in their Lordships' House; but an insuperable reason against a protracted adjournment was, that judgment must be given either to-morrow or on the next day in two important cases, as the learned Judges whose opinions had been sought, would have to leave on circuit upon Wednesday.

House adjourned.

HOUSE OF COMMONS,

Monday, July 6, 1846.

MINUTES.] NEW WRITS. For Chester City, *v.* John Jervis, Esquire, Solicitor General.—For Stafford County (Southern Division), *v.* Hon. George Anson, Clerk of the Ordnance.—For Tower Hamlets, *v.* Charles Richard Fox, Esq., Surveyor General of the Ordnance.—For Greenwich, *v.* James Whitley Deans Dundas, Esq., Commissioner of the Admiralty.—For Gloucester City, *v.* Hon. Maurice Frederick Fitzhardinge Berkeley, Commissioner of the Admiralty.—For Hertford Borough, *v.* Hon. William Francis Cowper, Commissioner of the Admiralty.—For Evesham, *v.* Lord Arthur Marcus Cecil Hill, Comptroller of the Household.—For Roscommon, *v.* the O'Conor Don, Commissioner of the Treasury.—For Richmond, *v.* Henry Rich, Esq., Commissioner of the Treasury.—For Lancaster County (Southern Division), *v.* Lord Francis Egerton, now Earl of Ellesmere.—For Manchester, *v.* Thomas Milner Gibson, Esq., Vice President of the Board of Trade.

PUBLIC BILLS.—*Reported.* Battersea Park.

PETITIONS PRESENTED. By Mr. James Stuart Wortley, from the General Assembly of the Church of Scotland, for Better Observance of the Lord's Day.—By Mr. James Stuart Wortley, from Members of the Congregation of the Free Parish, Rothesay, and from Magistrates and Council of the Royal Burgh of Rothesay, complaining of the Refusal of Proprietors of Land to grant Sites for the Erection of Free Churches (Scotland), and praying that Means may be devised for enabling Congregations to rent or purchase Ground on Reasonable Conditions.—By Mr. Wrightson, from an immense number of places in the County of York, against the Highways Bill.—By Mr. Pakington, from Members of the Board of Guardians of the Poor of the Droitwich Union, and from Ratepayers of Cliffe Pypard, for Repeal or Alteration of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Lord George Bentinck, from Members of the Board of Guardians of the Westbourne Union, for Alteration of the Poor Removal Bill.

HOUSE OF LORDS,

Tuesday, July 7, 1846.

MINUTES.] PETITIONS PRESENTED. By Lord Redesdale, from Chairman and Members of the alleged Lunatics Friend Society, for an Alteration in the Law respecting the Supervision of Lunatics.—From Keith, praying that a Bill may be passed compensating the Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).

HOUSE OF COMMONS,

Tuesday, July 7, 1846.

MINUTES.] NEW WRITS. For Liskeard, *v.* Charles Buller, Esq., Judge Advocate General.—For Edinburgh City, *v.* William Gibson Craig, Esq., Commissioner of the Treasury.

PETITIONS PRESENTED. By Mr. Cripps, from Guardians of the Poor of the Cirencester Union, for Rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—From Charles Wright, and others, for such an Alteration in the Laws of Currency as will secure a Regular Internal Circulation.

HOUSE OF LORDS,

Thursday, July 9, 1846.

MINUTES.] PETITIONS PRESENTED. From Guardians of the Poor of the Cirencester Union, for the Adoption of a Measure making the Landlords of Cottages where the Rents are under £6 liable to the Poor Rates.

HOUSE OF COMMONS,

Thursday, July 9, 1846.

MINUTES.] NEW WRIT. For Lichfield, *v.* Lord Alfred Paget, Chief Equerry and Clerk Marshall.

NEW MEMBER SWORN. For Carlow County, William Bunbury M'Clintock, Esq.

PETITIONS PRESENTED. By Mr. Hope Johnstone, from Ministers and Elders of the Presbytery of Lochmaben, of the Established Church of Scotland, for the Better Observance of the Lord's Day.—By Viscount Clive, from Rector, Churchwardens, and Inhabitants of the Parish of Llangynyw, from Vicar, Churchwardens, and Inhabitants of the Parish of Llantaircaereinion, and from Inhabitants of Maidstone and its Vicinity, against the Union of Saint Asaph and Bangor, but at the same time providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Sir Howard Douglas, from John Taylor, of Liverpool, Surgeon, praying for Inquiry into a matter of Fraud alleged to have been practised upon a Committee of the House by the Commercial Bank of England (Manchester), by means of False Returns.—By Mr. Thomas Duncombe, from His Sovereign Highness Prince Charles Frederick Augustus William Duke of Brunswick, Luneburg, and Oels, a Member of the Royal Family of England, and a General in the British Army, complaining that he is unjustly deprived of his Paternal Inheritance, and praying the House to Protect and Assist him in its Recovery and full Control.

HOUSE OF LORDS,

Friday, July 10, 1846.

MINUTES.] PETITIONS PRESENTED. From John Lucas and others, praying that a Superannuation Fund may be raised for the Relief of Poor Law Officers by a Deduction of a Percentage out of all Poor Law Officers' Salaries.—From Guardians of the Potterspury Union, for the Adoption of a Measure making the Landlords of Tenements where the Rents are under £6 liable to the Poor Rates.—By Lord Denman, from Minister and Members of the Remonstrant Presbyterian Congregation of Dromore, for the Abolition of the Punishment of Death.

HOUSE OF COMMONS,

Friday, July 10, 1846.

MINUTES.] NEW MEMBER SWORN. For Worcester City, Sir Denis Le Marchant, Baronet.

3°. and passed. Chelsea Bridge and Thames Embankment.

PETITIONS PRESENTED. By Mr. Philip Howard, from Secular Clergymen and Laymen of the Town of Bolton and its Vicinity, professing the Roman Catholic Religion, in favour of the Roman Catholic Relief Bill.—By Mr. Bulkeley Hughes, from Inhabitants of the Village and Parish of Aberffraw, against the Union of St. Asaph and Bangor, but in favour of the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. Dalrymple, from Ministers and Elders of the Presbytery of Stranraer, against the Abolition of the existing Religious Tests in the Universities of Scotland.—By Mr. Lascelles, from Inhabitants of the City and Borough of Ripon, against the Highways Bill.—By Mr. Trotter, from Inhabitants of the Parishes of Epsom and Ewell, for Alteration of Law respecting Jurors.—By Mr. Bulkeley Hughes, from Guardians of the Carnarvon Poor Law Union, for Repeal or Alteration of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.

HOUSE OF LORDS,

Monday, July 13, 1846.

MINUTES.] PUBLIC BILLS.—2°. Coroners (Ireland); Ropemakers.

3ª. and passed. Burial Service; Election Notices (Ireland).

PETITIONS PRESENTED. From Alfred Day, of Wincanton, for the Abolition of Judicial Oaths.—By Lord Campbell, from Rochester, and other places, in favour of the Small Debts Bill.—By the Marquess of Breadalbane, from the Free Provincial Synod of Caithness, and other places, for the Better Observance of the Lord's Day.—From the General Assembly of the Free Church of Scotland, praying for a Shorter Period for Labour in, and for the Better Regulation of Factories.—From Weobley, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act, so far as respects the Expense of Building and Maintaining County Lunatic Asylums.

HOUSE OF COMMONS,

Monday, July 13, 1846.

MINUTES.] NEW WRIT. For St. Ives, *v.* William Tyringham Praed, Esq., deceased.—For County of of Kilkenny, *v.* Hon. Pierce Butler, deceased.

NEW MEMBERS SWORN. For London, Right Hon. Lord John Russell.—For Tower Hamlets, Charles Richard Fox, Esq.—For Halifax, Right Hon. Charles Wood.—For Devonport, Right Hon. Sir George Grey, Bart.—For Taunton, Right Hon. Henry Labouchere.—For Chester, John Jervis, Esq.—For Evesham, Lord Marcus Hill.—For Greenwich, James Whitley Deans Dundas, Esq.—For Gloucester, Hon. Maurice Frederick Fitzhardinge Berkeley.—For Nottingham, Right Hon. Sir John Cam Hobhouse, Baronet.—For Tiverton, Viscount Palmerston.

PUBLIC BILLS.—2°. Ordnance Survey; Western Australia; New Zealand Loan.

Reported. Baths and Washhouses; Battersea Park.

PETITIONS PRESENTED. By Mr. Compton, from Minister, Churchwardens, and Principal Inhabitants of the Parish of North Stoneham, against the Union of Saint Asaph and Bangor, but at the same time providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. John Dundas, from Shipowners and Agents of and at Kingston upon Hull, praying that all Expenses for the Erection and Maintenance of Lighthouses, Floating Buoys, and Beacons on the Coasts of the United Kingdom, should be henceforth defrayed out of the Public Revenue.—By Mr. Morris, from Richard Bullock, late of Sheffield, in the County of York, and now of Islington, in the County of Middlesex, complaining of Loss of Practice consequent upon the passing of the Act to Amend the Law of Insolvency, Bankruptcy, and Execution, and praying that his Case might be taken into consideration, and some Compensation or Employment granted him.—By Lord John Manners, from Merchants, Tradesmen, and other Inhabitants dwelling within the Jurisdiction of the Newark Court of Requetss, in favour of the County Courts Bill (1841).—By Mr. Smith, from Mayor, Aldermen, and Burgesses of the City and Borough of Norwich, respecting the Employment and Reformation of Discharged Prisoners.—By Lord John Manners, from Fustian Cutters of Manchester, Salford, Warrington, Lymm, Heywood, Royton, and their Vicinities, for the Adoption of some Measures regulating their Trade.—By Viscount Adare, and Mr. Christie, from several places, for Repeal or Alteration of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Mr. Barnard, from Members of the Justices Clerks' Society, for Alteration of the Poor Removal Bill.—By Captain Pechell, from a number of places, praying that Trading in Prostitution may be made a Penal Offence.—From Wholesale and Retail Traders, Householders, and Inhabitants of and in the Vicinity of Lincoln's Inn Fields, Westminster, for Redemption of Tolls on Waterloo and other Bridges.

BUSINESS OF THE HOUSE—HIGHWAYS BILL.

SIR J. GRAHAM: There are three Orders of the Day which stand for this evening, with reference to which I wish to make some observations. The first is the Highways Bill, which stands for the second reading, the principle of which has not been adopted by the House. I observe that several petitions have been presented against this Bill, and different opinions are entertained respecting it; and, looking at the period of the Session, the length of the Bill, and the progress made in the Bill, I think it would be better that I should at once withdraw it, and let it become a dropped order. With respect to another Bill, the Poor Removal Bill, that has been read a second time; and I confess I am most anxious that, at least as to some portions of that Bill, some progress should be made in the present Session; and I allude more particularly to that part of it which provides that persons residing for a fixed number of years should have the right of not being removed from their residence. There are other parts of the Bill which I am of opinion are not necessarily concomitant with that provision, and for which it is not necessary to demand the sanction of the present Parliament. But, considering that this is a measure of so much importance, I do not think it expedient that an individual Member of the House should take charge of it. I should be quite willing, if it be the wish of the House and of the noble Lord opposite and his Colleagues, to take charge of the Bill, to which I attach great importance; but, upon the whole, I think, subject to the concurrence of the House, that it will be better to leave it in the hands of Her Majesty's present Government, who will deal with it in such a manner as they shall think best for the public good. I propose, therefore, to postpone this Order of the Day till Thursday next; and on Thursday the noble Lord will say what course he will take with respect to it. The other measure I refer to has come down from the other House; its principle has, I believe, received the sanction of this House. I attach great importance to this measure, with respect to which there is no great difference of opinion. It is a measure for enlarging the powers given to the Enclosure Commissioners respecting disputed boundaries; and, generally speaking, for improving and enlarging the powers given by the Act of last Session. There are some clauses which I wish to introduce into this Bill, and I hope the House will allow it to go through Committee *pro formâ;* and if this arrangement is conve-

nient to the Government and to the House, it would afford the House an opportunity of exercising its judgment upon the subject. These are the arrangements which I propose to make with the consent of the House.

Mr. V. SMITH suggested to the right hon. Baronet whether, instead of withdrawing the Highways Bill, he could not proceed with parts of the Bill which were not objected to, and which might pass with the consent of the House. It was a measure very much wanted. There was one provision making it compulsory on districts instead of parishes, which was a valuable arrangement, as well as the putting highway rates under a more effectual audit. The right hon. Baronet had earned so much honour by this measure, that he hoped he would not cast off a Bill which was so beneficial, and parts of which he had an opportunity of passing without any difficulty whatever.

Sir J. GRAHAM: I am not disposed to shrink from any personal labour in endeavouring to carry the measure referred to by the right hon. Gentleman; but when I look at the late period of the Session, and at the amount of business of paramount importance which remains to be transacted, I cannot think it possible that in the present Session sufficient time can be given to this Bill. Regarding the enactments to which the right hon. Gentleman attaches importance, namely, that the management of highways in districts should be made compulsory, that is the essence of the measure, and the machinery to carry it out is contained in the Bill; that is the best part of the Bill, and yet it is objected to in many quarters. So that, upon the whole, it seems better that the measure should stand over till another Session. But if the right hon. Gentleman pleases, I shall be glad to hand over the measure to him.

Sir G. GREY: I think the principle of the Bill is a good one; but, looking at the opposition it has met with in various quarters, the postponement of it, I think, will tend rather to advance than retard the measure.

Order of the Day for the second reading of the Highways Bill put off till that day six months.

POOR REMOVAL BILL.

On the Motion that the Order of the Day for the committal of the Poor Removal Bill be postponed till Thursday,

Mr. T. DUNCOMBE said, he understood when those great measures of commercial reform which had just passed through Parliament were proposed that the Poor Removal Bill, the Highway Rates Bill, and another Bill, for the purpose of giving some sort of compensation to the tenant-farmers, were to be part and parcel of those "great and comprehensive" measures, and that the Government of the day were pledged to the passing of them—as a portion of their great and comprehensive scheme of commercial reform. These three measures, in short, were proposed as a sort of inducement to the country Gentlemen to permit the passing of the great and comprehensive measures of commercial reform. He had said at the time the promise was made that he entertained some suspicion as to the good faith of the Government with respect to these measures, and that the people of the manufacturing districts had just cause to complain of their conduct with regard to the Poor Removal Bill. The right hon. Baronet (Sir James Graham) had said, and the late First Minister of the Crown agreed with him, that the honour and faith of Parliament were pledged to these measures, and that he would see to their being carried and conducted to a safe and successful issue, so that they and "the great and comprehensive measures of commercial reform" might go on *pari passu*. Well, what was the course to be taken now with regard to the Highways Bill? The right hon. Baronet had now thrown it over; and now, when they came to the Poor Removal Bill, that he presumed was also to be thrown over by the noble Lord; and the right hon. Baronet said now that it was not imperatively necessary that these measures should be carried if the consent of all parties could not be obtained. If the pledges of Ministers were to be thus broken, he wanted to know what the public and the labouring classes would think of the pledges of the Ministers of the Crown? They were bound to pass the Poor Removal Bill before the Irish Coercion Bill. On one occasion, when the Coercion Bill was brought forward, he contended that the Poor Removal Bill should be taken into consideration first, because he foresaw what was about to take place. And what had taken place since? The late Government had, in his opinion, been guilty of a gross breach of faith in not having proceeded with these measures which were held out as measures of compensation to certain parties. What the noble Lord was going to do with the Poor Removal Bill he

knew not; but he thought that he should not be far wrong in saying that that Bill would not pass this Session of Parliament. Those who were responsible for it—those who had introduced it, had deserted it; and he would only add that consequently the working classes had been hardly dealt with, and that they had just cause to complain of the conduct of the late Government.

SIR J. GRAHAM: Sir, before the noble Lord (Lord J. Russell) addresses the House, as the hon. Member for Finsbury has brought a charge against the late Government of a breach of faith, I hope the House will allow me to make a few observations. The hon. Gentleman says that the measure has been thrown over by the Government. I think he should have said that the Government itself has been thrown over, having lost the confidence of the House. If I had now been one of Her Majesty's advisers and enjoyed the confidence of the House, I should not have had the least difficulty as to this measure, and it would have been my duty to proceed with it. So far from the measure being abandoned, I am yet to learn that Her Majesty's present advisers will not, in the present Session, obtain the consent of Parliament to that important provision for giving the poor the great advantage of residence. I am of opinion, and I think the majority of the House is of that opinion, that this is the most important part of the measure; and my opinion is, that unless accompanied with a union settlement, many parts of the Bill will be attended with great hardship. I am willing that other parts of the Bill should be tried as an experiment; but I think that the parts which the hon. Member for Finsbury thinks of the most importance will prove harsh without a union settlement. I should say that such of the separate clauses of the Bill as had received the sanction of the majority of the House might pass into a law; but as to charging the late Government with a breach of faith, I assure the hon. Member that if we had remained in the service of Her Majesty it was our fixed intention to have proceeded with the measure, and I hope the noble Lord will proceed with it, and that it will pass and become law.

LORD J. RUSSELL: After what has passed, it may be convenient that I should state to the House the intentions of Her Majesty's Government with regard to the Poor Removal Bill, which may tend, in some degree, to remove the suspicions of the hon. Member for Finsbury. As I understand the right hon. Baronet now, and as I understood him before, it was his intention, if he had continued in office, to go on with this measure, and to add to its provisions that the poor should not be removable under it without a union settlement. The right hon. Gentleman now thinks it better that the Bill should be left in the hands of the present Government. Now, I assure the hon. Member for Finsbury, not only that we mean to proceed with this measure, but that it is the very first measure we mean to proceed with. But the House will do me the justice to recollect, that upon the instructions moved by the hon. Member for Malton, I expressed a very strong opinion as to union settlements, and considerable doubt whether, though they might be beneficial in certain cases, they would on the whole operate beneficially. Now, my right hon. Friend the Member for Devonport hopes on Thursday next to go into Committee on this Bill, and settle whether the period shall be five years or shorter, to enable poor persons who have resided in a particular district to establish their claim to relief in the district in which they have resided. With respect to that part of the Bill which relates to union settlement, I propose to leave out that part of the Bill, and to make it a matter for inquiry. The hon. Member for Evesham has given notice of a Motion for a Select Committee to inquire into the Poor Law; and I believe the right hon. Gentleman opposite was not prepared on the part of the late Government to offer any objection to a general inquiry into that subject. At any event, if there be any likelihood of this inquiry being prosecuted with effect in the present Session, or if not, then in the next Session, I would not object to an inquiry into the whole law of settlement—it is a most difficult and complicated question, and I think most important evidence can be received with respect to it. I am not satisfied now with the adoption of union settlements by this House without further inquiry; but I do trust that a Bill which will give all the benefits of the Bill as first introduced by the right hon. Gentleman, will pass during the present Session. Having said thus much with respect to the Poor Law Removal Bill, I may perhaps be permitted to make a short statement to the House. Her Majesty's Ministers have but lately accepted office; since that period they have been in distant parts of the country for the purpose of their elections, and, as they

have not all assembled yet, I do not think it will be wise or advisable now to state the particular measures with which we shall proceed, or in what respect it may be advisable to adopt or alter the Bills now before the House; but I will take an early opportunity of making this statement, and I hope to do so on Thursday next. There is one subject in particular with respect to which I will make a statement on Thursday as to the day when I will bring forward my proposal—I mean the important question of the Sugar Duties. I am aware of the importance of that subject, and the injury done to the trade by a protracted suspense. I will therefore on Thursday next fix an early day for that discussion. I believe, also, it will be necessary to give notice of a Bill to continue for a further limited period the present duties, as the measure which I may introduce may give rise to considerable discussion, and it will not be desirable to lose the present amount of duties. I know not whether I have any further statement now to make to the House, and I trust that the House will give me till Thursday next to make the statement to which I have referred.

Mr. WAKLEY had heard with great satisfaction the statement of the noble Lord. He had taken the right course on a subject which was of great importance, and had attracted great attention in the country. The noble Lord had promised an inquiry into the whole subject; and he, therefore, trusted that the Committee would be appointed early in the next Session, and that nothing further would now be done than giving the poor the protection of relief after a residence for a certain time. He believed the noble Lord to have proposed the best course, and he hoped it would receive the sanction of the House.

Sir J. PAKINGTON, also, expressed his high satisfaction at the course about to be taken by the noble Lord.

CAPTAIN WARNER'S INVENTIONS.

On the Motion that the Speaker do leave the chair for the House to go into a Committee of Supply,

Viscount INGESTRE rose for the purpose of again bringing under the notice of the House the invention of Mr.— for he was told that he must not call him Captain—Warner. He was aware that he incurred a great deal of ridicule by his perseverance on this subject; but he was aware, too, of the value and originality of the discovery, and that no fair trial had yet been afforded to the inventor. Before long he was confident that the subject would attract a great deal of attention. The noble Lord entered into an examination of the correspondence, at various times laid upon the Table, and read an extract of a letter, dated the 25th of May, 1842, to show that Sir R. Peel had been mistaken, in point of fact, when he stated that Mr. Warner had required a direct promise of 400,000*l.* for his invention. He also read passages from letters to the Master General of the Ordnance and to other persons, in order, as he said, to remove the erroneous impression that Mr. Warner was a swindler and an imposter. His Lordship maintained the reverse; and insisted, on the authority of the whole body of pilots at Brighton, that when the experiment was tried off that town, there were no ropes hanging from the exploded ship but such as had been used to tow her from Shoreham. The noble Lord also adverted to the subsequent offer of Mr. Warner to communicate his secret to Sir G. Murray, Sir R. Peel, and the naval Lord of the Admiralty, and expressed his regret that they had not consented to investigate the matter. The right hon. Baronet always, when applied to on the subject, paid great attention to it, as far as referring it to the ordinary channels; but on the latter being applied to, their invariable answer was, that they had no authority to act. The House was aware that there were two classes of inventions brought forward by Captain Warner —one which he denominated the "invisible shell," and the other, the "long range." Now, Captain Warner had always been most anxious that the first of these inventions should be investigated, and placed before the country on its own merits, before the other was at all considered; and he had repeatedly expressed his regret to him (Lord Ingestre) that he had ever been induced to mention the subject of the long range until the subject of the invisible shells was first in some manner disposed of, as both together had to so great an extent been made topics of amusement and ridicule. It was agreed on by the Commissioners appointed to investigate these inventions, that the invisible shells should first be investigated; but the correspondence which took place on this subject ended in an offer to appropriate a sum of 500*l.* to the experiment, though Captain Warner had previously repeatedly stated the amount which the trial would require; and it was, therefore, absurd to suppose

that he could go on with an expenditure of only one-fifth of that which he required. Of these Commissioners, though one was an experienced officer, the other was a young man whose experience could have been but small; and, as a proof that there was no intention to give the subject a fair trial, he might add, that Captain Warner's demand that a third Commissioner might be appointed on his nomination, who should be capable of explaining the principles of the invention, was refused, though the suggestion had met with the approval of Sir George Murray. When the late Mr. Somes gave the ship which was blown up at Brighton, the Government could have sent men on board to examine her, and could have adopted any other precaution that they might think necessary to satisfy them that there was no trickery intended to be practised. He (Lord Ingestre) could pledge his word of honour that there was no trickery in the matter. He had himself given the signal from the shore for the destruction of the vessel on that occasion; and he was permitted to take any moment for doing so that he might think proper out of a period of two or three hours. He wished to make this explanation, because he had put his name to a document, in conjunction with two naval friends, stating that the ship was destroyed in one minute after he hoisted the signal on the shore, though, as he had just observed, he was allowed any moment he wished, out of a period of two or three hours, for giving the signal, Captain Warner being altogether ignorant of the precise time to be selected. He would next refer to the astounding power possessed in this invention. When the matter was first brought under the notice of the late Sovereign, King William the Fourth, His Majesty referred it to that distinguished officer, Sir Richard Keats, who was afterwards assisted by Sir Thomas Hardy; and they reported the inventions to be of a most powerful character. The next authority to which he would refer was that of an officer who had seen a great deal of service, having been seventeen or eighteen times in action, and who was of the highest possible character and experience. He alluded to Lieutenant William Webster, who had been selected by Sir William Parker to report to the Government on the subject. [The noble Lord here read the report of Lieutenant Webster, in which he stated, in reference to the invention, that he was firmly convinced it was utterly impossible for anything afloat to resist it for a single moment.] In fact, a hundred sail of the line would be utterly useless against a single vessel provided with these invisible shells. Lieutenant Webster had since then unfortunately died; but he who knew that gentleman well, could bear testimony to his great ability and experience. [The noble Lord next read a letter from Sir George Murray, in which he expressed his belief of the possibility of discovering such destructive substances, and that he thought the application was the only difficulty.] He could also refer to the authority of Colonel Chalmers, who told him that he was quite satisfied of the experiment on the ship at Brighton; and he would further call as evidence the opinion of the great mass of the people who witnessed that experiment, and the bulk of whom felt convinced of its complete success. He had been ridiculed and laughed at on account of his advocacy of this invention; but feeling strongly on the subject, he could not as a naval officer of this country refrain from exercising his right of asserting his opinion, and showing the grounds on which that opinion rested. It had been alleged as one of the arguments against him, that the inventor of these shells, though called a captain, in reality held no such rank. He admitted the truth of this assertion. He believed that Captain Warner had in his early career been commander of a privateer employed in landing spies on the coast of France; but he was paid by the Government for this service. He performed that dangerous and difficult duty exceedingly well; and instead of its being a stain upon his character, it was in his (Lord Ingestre's) opinion an honour to him. There was no modern instance of a great discovery in which those who deserved the merit had not in the first instance to go through an ordeal, whilst others reaped the benefit. He might only allude to the instances of gas and steam. The man who introduced gas, from which they all derived so much benefit, died an insolvent debtor in prison. Again, they all knew the difficulties that were thrown in the way of the application of steam, and of that wonder of the present age—railways. Mr. Warner's mode of destroying ships and batteries was perfectly easy and feasible; and he asked the House to pause in the construction of harbours of refuge and fortifications until the merits of Captain Warner's inventions had been investigated, because they would then be found totally use-

less. With one single ship, by means of these inventions, he (Lord Ingestre) could blockade or destroy a whole fleet in Brest, Cherbourg, or any other harbour. He implored the Government for these considerations to investigate the subject. He would be happy to render all the assistance in his power; and he hoped the House would give him credit for honest intentions in doing what he considered to be his duty to his country. The noble Lord read a letter addressed to himself from Captain Warner, dated July 2, in the present year, announcing his intention of applying to the new Administration for a fair investigation of his inventions, and entering into a statement of the privations and disappointments he had suffered. Last autumn the right hon. Baronet the Member for Tamworth stated he would request the First Lord of the Admiralty and the Master General of the Ordnance to ascertain if something could not be done. Negotiations were consequently opened with the Earl of Haddington and Sir George Murray; but just as a meeting was about to be held, the noble Earl left the Admiralty, and suggested that the subject should rest until his successor was appointed. The question was therefore again renewed, and a meeting was appointed between the Earl of Ellenborough and Colonel Chalmers. They investigated the subject with great patience. Lord Ellenborough admitted the power of the inventions, but desired to have certain matters of detail cleared up, to which he (Lord Ingestre), on the part of Captain Warner, said at once there was no objection. This related to the invisible shell. Lord Ellenborough said, he would report to the Government in favour of an experiment being made; but the right hon. Baronet (Sir Robert Peel) then said, it was the long range which was wanted, and that it must be referred to a committee of officers, upon the basis of the letter of 1845. He stated this was a departure from the investigation originally proposed; and that if a specific answer could not be given, he should conclude the Government meant to abandon the invisible shell. An investigation upon the basis of the letter of 1845 was vague and unsatisfactory; but notwithstanding this, he afterwards wrote a letter, inquiring how many and what officers were to constitute the committee. He was told there would be two officers appointed, Sir T. Hastings and Captain Chads. To Captain Chads, Captain Warner had no objection; but he did object to Sir T. Hastings, on the ground that he had already prejudged the case. The matter now rested in this state; and under these circumstances he requested from hon. Members a fair and candid perusal of the correspondence of 1844 and 1846. If he should succeed in calling the attention of the country to this important subject, he should feel he had not occupied the House unprofitably. He trusted the present Government would impartially consider this case. He was not in a position to give them general political support, but he should not offer them any factious or intemperate opposition. All he asked for on the part of Captain Warner was fair play and no favour; and he felt confident if that principle were adopted, the noble Lord (Lord John Russell) would one day thank him for having pressed this subject upon the attention of the Government. The noble Viscount concluded by moving an Address to Her Majesty, praying that she will be graciously pleased to give directions for the investigation of Mr. Warner's inventions.

Captain PECHELL seconded the Motion for the sake of investigation, but said he had no faith in the inventions. The hon. and gallant Officer ridiculed the experiments which had been hitherto made, and recommended the noble Lord to turn his attention to the promotion of free trade and the extension of commerce, rather than to the introduction of inventions which he firmly believed were not required.

Sir HOWARD DOUGLAS: Having in common with both my gallant associates, first, Vice Admiral Sir Edward Owen, and then Admiral Sir Byam Martin, declined having any thing more to do with this affair, unless positively ordered upon it, as a duty which we could not disobey, I should be too happy to escape from taking any part in this discussion, had not the noble Lord the Member for Staffordshire reflected upon the spirit and character of the Commission to which I had the honour to belong, in terms which, I think the House will admit, impose upon me the obligation of defending my gallant Colleagues and myself from the imputations which the noble Lord has cast upon our proceedings. The noble Lord, premeditating, as it now appears, this attack, and intending to refer particularly to my name, ought, I think, to have given me notice of such an intention, as due in courtesy. But I am too much of a tactician to be taken by surprise. I could not, indeed, have expected from

the noble and gallant Member, that such an attack as this would be made, without notice to the parties accused; but, fortunately, I look at the Orders of the Day, and if I find anything likely to come on, in which I feel an interest, and may take a part, I arm myself with any minutes I may have made on that matter; and so, seeing the notice of the noble Lord in the Order of the Day, I put in my pocket the papers which I had laid by two years ago, and thus luckily am provided with the ammunition which I am now, off-hand to use, without, however, having had time to refer to them in detail, to prepare myself the better to vindicate the conduct of the Commission on which I served. I shall answer, severally, in the course of what I have to say, the strictures and assertions of the noble Lord. First, as to the spirit and character in which our proceedings were conducted. To show this, it will be necessary to explain, in full, the stipulations and conditions under which I undertook, reluctantly, a duty which, having had a good deal to do with inventors and projectors, I foresaw would be difficult and laborious. And I request the attention of the House to a brief explanation of the several documents and minutes which became the basis of the instructions under which we acted, and in strict conformity with which the whole of our proceedings were regulated. When my gallant Friend, the late Master General of the Ordnance, with the concurrence of the late Prime Minister, requested me to undertake that duty, I did all I properly could to excuse myself, having then but recently returned from foreign service of considerable duration. But the proposition was pressed upon me in a manner which I could not decline: my acceptance, however, was conditional on certain stipulations which I made to Sir George Murray, in a letter dated the 31st of Dec. 1841, of which the following are extracts :—

"The duties of the commission will certainly be difficult, and highly responsible; but I undertake this as a duty, from which I feel that I ought not to shrink; and it affords me great satisfaction to learn that I am to be associated with such a person as Vice-Admiral Sir Edward Owen." I submitted "the necessity of coming to a clear and distinct understanding with Mr. Warner, in writing, as to the nature and extent of the preliminary experiments, and the locality where they are to be carried on; and that these be on a scale so extensive, as to ascertain, positively, the real service powers and effects of the invention." I stated that I should decidedly "object to anything short of experiments upon a large scale, to which, as they were to be made at the public expense, Capt. Warner could have no reason or pretence to object." I also stipulated "that I should have nothing whatever to do, either with the principle, or amount of reward or compensation, or be committed in any way with any proceeding that has already taken place, or with any expectation held out to, or entertained by Mr. Warner, as to any pledge, expressed or implied, for the purchase of his discovery." "I undertake this commission solely and entirely to investigate, ascertain, and verify by actual experiment the real service power, safety to the users, and practical utility of the invention, and reporting upon these accordingly, to leave the Government perfectly free to negotiate, or act in all respects thereafter with Mr. Warner as they may judge fit, on receiving our report of the absolute power, efficacy, and safety to the users of the invention, if applied by us, and consequently the detriment that would result to the national interests, by not securing the secret to ourselves."

These conditions were expressly admitted; I was appointed, accordingly, a member of the Commission, and, by seniority, became its chief. Vice Admiral Sir Edward Owen signified to the Master General of the Ordnance on the 5th of January, 1842, his acceptance of that duty, and expressed "great satisfaction in being associated in the inquiry with an officer, whose experience and character," he was pleased to say, "would ensure to it a searching investigation and candid interpretation; and that in this feeling, he would meet me with every disposition to second my views in the fulfilment of our duty." I quote from this letter, as I shall from others, to show the perfect unanimity that reigned between the Members of the Commission on which I acted, to refute the allegations and fabrications which have been circulated to the contrary. On the 22nd of January, 1842, Sir George Murray, the Master General of the Ordnance, issued the following memorandum, which formed the basis of our instructions: a copy of that minute was previously communicated to Mr. Warner :—

"1st. To agree upon a series of experiments to be made under Mr. Warner's directions, in the presence of Sir H. Douglas and Sir Edward Owen.

"2nd. To frame an estimate of the expense which will attend these experiments that it may be submitted to the Treasury previously to any expense being incurred.

"3rd. That when the expense has been sanctioned by the Treasury, the experiments should proceed.

"4th. That detailed minutes should be kept of every step of the investigation, *i. e.* all particulars of such experiments.

"5th. That Sir E. Owen and Sir H. Douglas should draw up a report as to the result of their observations to be submitted to the Prime Minister, and to which they will be pleased to annex, as an appendix, the minutes above mentioned.

"6th. Sir H. Douglas and Sir E. Owen will be

pleased to consider the whole proceeding in this matter strictly confidential."

The House will perceive that in conformity with my express stipulations, and the views of Her Majesty's Government, not a word of any promise or guarantee as to remuneration appears, and that the Commission should consist of two Members as therein named. To this memorandum Mr Warner expressly consented, as declared by Sir George Murray, in his letter of the 30th of April, and 13th of May, 1842, (Parliamentary Papers, pp. 25 and 28) in which he states, that Mr. Warner's refusal to proceed to the experiments for which we had made all the arrangements, unless we guaranteed remuneration, "was wholly at variance with the basis which he, Sir George Murray, had laid down, and to which Mr. Warner had given his concurrence and assent." Mr. Warner accepted the proposed nomination of the Members, in a letter, of which the following is a copy:—

14th January, 1842.

"Sir—I beg to acknowledge the receipt of your note of the 12th instant.

"Any day after Wednesday next that may be convenient to Sir Howard Douglas, Sir Edward Owen, and yourself, I shall hold myself disengaged, and shall be most happy to attend upon you at the Ordnance, as you propose.

"I would have named an earlier day, but I have some plans and drawings to replace that I have destroyed, for the sake of security.

"From the character I have heard both of Sir Howard Douglas and Sir Edward Owen, I am highly gratified with the choice the Government has made in those distinguished officers.—I am, &c. (Signed) "S. A. Warner."

Thus Mr. Warner entered into the most express engagement, in writing, as to the powers, instructions, number, and persons of the Commission. It became my duty as the chairman, to prepare a minute in detail, to be submitted to the Commission, by which, if approved, their proceedings should be regulated. The following is a copy of that minute:—

"That all communications with Mr. Warner should be made in writing; and minutes kept of all that took place in our meetings with that gentleman, in conformity with articles 4 and 5 of the Master General's Memorandum.

"That no attempt should be made to obtain any part of Mr. Warner's secret.

"That he should be forbidden to answer any question that might in the slightest degree tend, if answered, to disclose his alleged discoveries.

"That he would be required to exhibit the practical efficacy of his inventions, on a scale sufficient to enable the Commission to ascertain and report upon their practical efficacy, and utility to the public service.

"That we attached by far the greatest importance to that part of his alleged discovery, which he denominated 'The long range.'

"That we were strongly disposed to proceed at once to witness any experiments he might exhibit of the astounding powers which he attributed to that alleged discovery.

"That we were likewise ready to witness the powers of his invisible shells, if tried in an open sea-way, and in strong tides.

"That we should not report separately on the two branches of his alleged discoveries, but wait until we should have witnessed experiments, on a scale sufficient to enable us to ascertain, with certainty, the applicability, efficacy, and value, of the 'long range' to the public service.

"That these experiments should be tried in the most retired locality, and conducted with every possible regard to the retention and safety of his secret.

"That these experiments should be conducted at the public expense."

In this we went beyond our instructions; but we were resolved to do everything in our power to bring these alleged powers to a full and conclusive test, and to do nothing that might afford Mr. Warner the slightest pretext for getting up a grievance against the Commission, to be used as a plea for compensation, which we, at a very early period, foresaw would be attempted.

"That the experiments with the invisible shells should be such as to test their power and applicability with safety to the users, the value of the invention to us, the use to an enemy if neglected by us; the power of control, management, and direction, which the inventor possessed over these astounding powers; what reasonable certainty or security there might be of our retaining the exclusive use of the invention, should it be proved to possess the powers which Mr. Warner asserted; or whether, should the Government purchase his secret, there was any probability that the philanthropic and humane purpose of protecting the human race from so desolating and destructive an agent, could be accomplished.

"That for the trials with the invisible shells we should provide two vessels of considerable strength and magnitude; that we should cause them to be taken to some retired bay; that Mr. Warner should have due notice to prepare his means of destruction; that the hulks should remain in our charge to the last; that he should never be permitted to visit or have any communication with them; that he should have every facility for attempting to destroy them, but not allowed to do this under circumstances which the ordinary precautions of real service would not permit.

"The trials to be made: first, against a vessel at anchor, and then against a vessel in motion; Mr. Warner having nothing to do with the traction or movement of the vessel whose destruction he was to attempt.

"The effects of the 'long range' to be tried at the full distance of what Mr. Warner states to be the powers of his 'long range,' namely, six miles.

"First, against a hulk at anchor; then against a vessel in motion; under such circumstances of wind and weather, &c. as the Commission might propose.

"That the 'long range' should be tried against a fort or other building or erection to represent a fort situated on a hill, at the full distance of the 'long range.'

"Against a real fort of considerable magnitude, which we were prepared to indicate to Mr. Warner, at the full distance of the 'long range,' and not much elevated above the position of the assailant.

"That the experiments with the 'long range' should be made from a vessel in a sea-way—first, to leeward of the hulk, and afterwards directly to windward of the vessel to be destroyed.

"That experiments should likewise be made, to enable the Commission to ascertain how far bodies, which, immersed in in the sea, or used at a 'long range,' would explode on the slightest concussion can be safely handled and applied, or resist, as in the case of the 'long range,' the percussive force of so powerful an agent."

The Commission met on the 25th of January, 1842. At that interview I read to my Colleague my letter of the 31st of December, 1841, which I had addressed to the Master General of the Ordnance, and the minute which I had prepared, suggesting the course which our proceedings should take. In the whole of these views and propositions, Sir Edward Owen expressed his entire concurrence. We had another meeting on the 27th of January, at which it was settled, that though we attached by far the greatest importance to the "long range," and were much disposed to proceed at once with experiments to test its powers, we would consent to commence with the invisible shells, as desired by Mr. Warner, but only as a path to get at the "long range." At this meeting it was settled with Mr. Warner, that he should report to us when he was ready. A case has been endeavoured to be gotten up, among other alleged grievances, that considerable delay then took place by my having been called away to Liverpool for my election. I went to Liverpool on the 1st of February, and on the 9th had the honour to take my seat in this House. And so far from my absence having occasioned any delay, I was ready, and Sir Edward Owen, who did not leave London to hoist his flag till towards the end of the month, was ready likewise; but during the whole of that time we heard nothing from Mr. Warner. On Sir Edward Owen withdrawing from the Commission, he addressed a letter to Sir George Murray on the 7th of February, 1842, an extract of which will be found in the Parliamentary Papers of 1844, p. 13, to the seventh paragraph of which I particularly refer. The time has now come, and this is the proper place, for me to deny and refute assertions and statements advanced by Mr. Warner, which have appeared in several of the public papers, and some of which it seems the noble Lord believes. These gave me no individual concern; and I should not now condescend to notice them, did it not appear to me that the public interests require, that the House and the country should know, exactly, what sort of a person the Commission had to deal with, and the manner in which two British Admirals and a British General have been maligned in the performance of an arduous and highly responsible duty, which they have discharged to the best of their ability, acting fairly in strict conformity with the spirit and letter of their instructions. The following paragraph appeared in several of the public papers soon after the proceedings of the Committee were brought to an abrupt termination, by Mr. Warner having refused to proceed with the experiments we had arranged, unless we complied with demands wholly at variance with the conditions to which he had assented, and which he had no authority to grant:—

"Sir Howard Douglas has represented that there was a concurrence of opinion with respect to my inventions between himself and Sir Edward Owen. I will take the present opportunity of declaring that this is a misapprehension on Sir Howard's part. For when Sir Howard made light of some naval operations, which as a soldier officer he probably did not understand, Sir Edward Owen came forward in my defence, and expressed his belief that I could carry my plans into effect; and when to save time I offered to go down to a secluded part of the coast, and enter into some operations before Sir E. Owen, during Sir H. Douglas's canvass at Liverpool, Sir Howard would not permit a single explanation to be entered into during his absence, though Admiral Owen reminded him with a smile, that he felt himself competent to form a judgment of any naval movements, without the gallant General's assistance. I regret, to this hour, Sir Edward Owen's departure for the Mediterranean, for I believe that his knowledge of seamanship and candid disposition would have brought my affairs to a different termination than has befallen them."

I transmitted, on the 29th of August, 1842, this identical extract to Sir Edward Owen, who answered (12th of September)—

"Decidedly no such conversation ever passed between us. There was no difference of opinion. We both considered Mr. Warner to be trifling with the inquiry. The invisible shell is an acquaintance of forty years standing. You wished to get at once to the long range, in which I heartily concurred, and consented to go into the invisible shells as a footpath to the long range. I was prepared for the *finale* of Mr. Warner's proposition, which appeared to me to contain nothing more than an unusual share of the most barefaced charlatanerie."

On the departure of Vice Admiral Sir Edward Owen, a successor was appointed, whose high character, eminent services, and qualifications, rendered him peculiarly fit for the difficult duties which I foresaw we should have to discharge; and it was with the highest degree of satisfaction that I found myself acting under Admiral Sir Byam Martin, who now, by seniority of rank, became chief of the Commission. I immediately transmitted to him all the papers and documents relating to the inquiry. On the 31st of March, 1842, I received from Sir Byam Martin a minute, dated that day, of which the following is a copy, and which I beg leave to read to the House, because it shows the approbation and concurrence which the lately appointed chief expressed in the previous proceedings, and his adhesion to the proposed arrangements; thus proving the perfect harmony and unanimity which reigned throughout between the two distinguished Admirals and myself. [The gallant Officer read the minute, which was in entire conformity with his statements.] With respect to the objections to the enlargement of the Commission, by the appointment of a third member, whether the noble Lord or any other person who had previously been connected with this investigation, and which he complains of as unfair to Mr. Warner; we expressly stipulated that we should have nothing whatever to do with any previous proceedings or persons. We foresaw, distinctly, that attempts would be made to connect us with previous experiments, said to have been successful, but of which no documentary proof could be found, and which were stated to have been made in the presence of some eminent and distinguished men now no more. We undertook this as a new Commission, the terms and composition of which were, as I have said, expressly assented to, in writing, by Mr. Warner. We stated, that if his subsequent demands for the enlargement of the Commission were deemed advisable, we were ready to withdraw; but that having commenced our labours in conformity with those engagements, we would either proceed undisturbed by any alteration of the Commission, to complete the duty intrusted to us, or resign. Soon after Sir Byam Martin's appointment, he, unfortunately, became considerably indisposed; and, under those circumstances, it appeared to the Master General of the Ordnance, that if the unfavourable state of Sir Byam Martin's health should prevent the investigation from proceeding, it would be necessary to appoint another Commissioner; and, accordingly, Sir George Murray intended in that case to give me another Colleague. The noble Lord the Member for Staffordshire denies, and does not permit me to correct him, that the intention to appoint another Commissioner had reference only to the unfavourable state of Sir Byam Martin's health. I shall set the noble Lord right, by reading from Sir George Murray's letter of the 27th of March, 1842, which I hold in my hand:—

"As Sir Byam Martin's health is happily restored, and the apprehension of delay on that account has ceased, the motive for Mr. Warner's suggestion ceases also; for it must be obvious to every one, that it is both for the interest of the public, and fair towards Mr. Warner, that the investigation should be continuous, and that it should be begun and finished by the same Commission, if that can possibly be effected."

Sir Byam Martin's health having happily been speedily re-established, we met and addressed conjointly to Mr. Warner a letter, dated April 4th, 1842, stating—

"That we are ready to proceed in the investigation of your discoveries with as little delay as may be consistent with our instructions—that it is our intention, first, to have your 'long range' exhibited, and afterwards a practical illustration of the effect of the 'invisible shells;' in both cases the materials to be prepared on such a scale as you may deem to be necessary for real service."

And further requiring to know what assistance Mr. Warner might deem necessary. To this we received, on the evening of the 13th, from Mr. Warner, a letter dated the 11th, which will be found in the Parliamentary Papers, from which I read, for brevity, the following extracts:—

"You express a desire to see an exhibition of the powers of my 'long range' first, and then some practical illustration of the efficacy of my 'invisible shells.'

"With regard to the reversal of the order in which the investigation was commenced, I do not think it advisable. As I have already commenced my explanations, with reference to the 'invisible shells,' to Admiral Sir Edward Owen and Sir Howard Douglas, I think it better to complete that investigation first, and then proceed to the 'long range.' If an experiment is insisted upon, I am quite prepared to make one, and enclose, according to your request, an estimate of the probable expense as well as I can, in the absence of any specification of what you require to be done. I, however, submit to your consideration whether this expense might not be avoided, when I can refer, as eye-witnesses, to the following Gentlemen now holding high offices of State—the First Lord of the Treasury, the Master General of the

Ordnance, the Senior Naval Lord of the Admiralty, &c.

"With such testimony as to the actual power of explosion under my control, it may be a question worthy the consideration of Government, whether a repetition of an experiment of an explosive character may not incur unnecessary expense and loss of time, besides the risk of attracting public notice, which to a certain extent is unavoidable, whatever precautions may be taken.

"But I must here stipulate that in the event of the experiments (with the invisible shells) proving successful, I have to be paid the sum finally agreed upon, and on the receipt of the money for the invisible shells, will forthwith proceed to demonstrate the power of the long range."

Thus the House will perceive that whilst our main object was to get to the "long range," and that Mr. Warner had been distinctly told by us that we had no power, whatever, to enter on the question of guarantee or remuneration, and that although he had expressly assented to arrangements which left that matter exclusively to the consideration of the Government, he now positively refused to enter on experiments at all, unless we gave some guarantee or promise on the part of the Government, as to the remuneration he demanded. On the 16th of April the Commission addressed a letter, of which the following is an extract, to Mr. Warner; and as this contained a distinct specification of the experiments we desired to witness, it is important that I should refer to the more material passages of that letter. The gallant Officer read from the Parliamentary Papers, p. 18, the passage he referred to, and of which the following are the principal points:—

"We therefore readily assent to your wish that the invisible shells may be first tried; but our report must embrace both classes of experiments, and cannot be made until both have been concluded.

"You say in your letter now before us, 'I, however, submit to your consideration whether this expense might not be avoided, when I can refer, as eye-witnesses of an experiment, to the first Lord of the Treasury, the Master General of the Ordnance, the Senior Naval Lord of the Admiralty, the Secretary at War, Lord Hardwicke, and Lord Ingestre.'

"If we were to be satisfied with the opinions of others, our commission would be an absurdity; and we frankly tell you we cannot permit ourselves to be influenced by any thing which has hitherto occurred.

"To us, it does not appear that any experiments have been made either on a scale, or under circumstances, or in a manner, to warrant a conclusion that the power, whatever it may be, which you call invisible shells, is applicable, or practicable, under all the conditions and circumstances of real service; and with respect to the long range, to which we attach, from your own assertions of its prodigious powers, a degree of importance infinitely beyond any that can be assigned to any submarine mines or fougasses, whatever be the force of the explosive composition they contain, or the mode of action; we having nothing but statements which you made of a power so astonishing and omnipotent as must, by your own admission, be incredible to those who have not witnessed it—nothing, therefore, can satisfy us but practical proofs on a large scale, and under circumstances common to land and sea service in time of war.

(Signed) "T. BYAM MARTIN,
"HOWARD DOUGLAS."

With respect to the vessel or hulk, against which the experiments were to be tried, we acquainted Mr. Warner that we could not consent to his proposition to provide, or cause to be constructed, the hulk against which he was to try his alleged powers. We intimated to him, that we charged ourselves with this, as with every thing else that the public could provide without prying into his secret; and that conducting the experiments in a real service manner, he would not be permitted to communicate with, or go nearer the vessel to be destroyed, than he would be allowed to board or approach an enemy's ship; that when he reported himself ready, we should convey the hulks to the locality selected for the experiments; and that the movement or traction of the vessel to be attacked in motion, would be managed by the Commission, and not dragged by the assailants to certain destruction. The noble Lord denies that Mr. Warner insisted on providing the vessel himself. The noble Lord is again in error, as the "Estimate," transmitted to us by Mr. Warner in his letter of the 11th of April, will show. I now come to some other assertions made by Mr. Warner, which I shall characterize by no other term, than that of being wholly and entirely groundless; and which, as I am not fond of bandying strong words, I shall at once dispose of:—

"Sir Howard, in a very peremptory manner, told me I must disclose my secret agent, and explain its nature, properties, and composition, as well as exhibit and explain my mode of operation. This I at once declined, when Sir Howard said, without such disclosure he could not recommend my inventions to Her Majesty's Government."—Extract of a Statement which appeared in *The Times, Morning Post, Naval* and *Military Gazette.*

To this, I adduce first the Minutes of proceedings of the 19th day of April, 1842, annexed to our Report, in conformity with Articles 4 and 5 of the Master General's Memorandum of the 22nd January, 1842:—

"Present: — Admiral Sir T. Byam Martin, Lieutenant General Sir Howard Douglas.

"Having at our last meeting, on the 16th instant, decided upon the answer to be given to Mr. Warner's letter of the 11th, he was appointed to meet us, this day, at three o'clock.

"Mr. Warner was called in, and the two following paragraphs read to him:

"You have desired in your letter of the 11th instant to stipulate for a reward for the disclosure of your secret, and remuneration of your expenses, if your inventions are proved to our satisfaction.

"The letter now about to be delivered to you is in answer to yours, in which you are informed that we have no authority to entertain any such proposition. We think it right to tell you this before we ask any questions, in order that you may exercise your own discretion as to whether or not you will answer them.

"Mr. Warner made no objection to the questions being put.

"We then read to him this paragraph, viz., 'Before we proceed to ask any questions respecting the practical application of your inventions, we think it right again to warn you not to impart to us any part of what you term your secret; if you do so, it will be your own fault, and contrary to our wishes. You will therefore decline to answer any questions you may think objectionable.'"

The House will perceive from this, that in our letters to Mr. Warner, and in all our meetings with him, we invariably charged him not to answer any question, or say anything that could in the least tend to divulge any part of his secret, and that we as invariably acquainted him that we had no authority to entertain any proposition or stipulation relating to remuneration. Two days after this meeting we received a letter from Mr. Warner, dated Clarence Chambers, 12, Haymarket, 19th April, 1842, which proves that after everything was prepared, he did refuse to come to the point, unless we made promises or gave guarantees wholly at variance with the conditions to which he had assented. He said—

"As I made this the basis of my offer to Her Majesty's Government, I feel it impossible to proceed any further until you have received authority to promise me, on the part of the Government, the remuneration I ask, in the event of my proving to your satisfaction my ability to effect what I have unfolded in the document to which you have done me the honour to refer."

On the 20th of May, we wrote to Mr. Warner, acknowledging the receipt of his letter of the 19th of May, and stating—

"Our functions having ceased by your 'finally' declining to proceed to the experiments upon which we were prepared to enter (unless under a guarantee, which we are not authorized to give), we should have confined ourselves simply to an intimation of the transmission of your letter to the Master General of the Ordnance, were it not for that passage in it wherein you say, 'I put it to your candour, whether I have not already made many important disclosures to yourselves.'

"To this appeal we give a decided negative, not only for ourselves, but for the Commission as originally constituted."

The noble Lord makes a serious charge against the Commission, that the minutes of what passed between the Commission and Mr. Warner on the 19th of April, 1842, were written unfairly, after the meeting, instead of being taken down at the time in his presence and with his knowledge. This is another error amongst the many into which the noble Lord has been led by his client, and another injustice he has done to the Commission, by believing this, to their prejudice. The whole of the minutes, questions, and answers, annexed to the proceedings to which the noble Lord refers, were written down at the time by Sir Byam Martin, as enjoined by our instructions, in the presence of Mr. Warner, with his knowledge, and without any appearance or expression of objection. The noble Lord complains that these minutes should have been produced! Why, he moved for the production of the papers: the minutes of the proceedings were inseparably connected, by our instructions, with the despatches of which they were enclosures; and the Government had no alternative but to give all or none. This brought to light the affair of the *Nautilus*, and the destruction of the two French privateers off Folkestone, to which the noble Lord has adverted, as to a fact that should have satisfied us. [The hon. Member appended here a long note to show Mr. Warner's assertion that he had destroyed two French vessels with all their crews had been inquired into; and that no trace whatever of any such destruction could be found either at the Admiralty or at the Foreign Office, under which Mr. Warner alleged he was employed at the time in the *Nautilus*.] Then Mr. Warner has stated, and the noble Lord seems to believe it, that I made observations which led Mr. Warner to suppose that after he had proved all he professed to do, he should receive no remuneration—that I made remarks from time to time to the effect, that after the disclosure should have been made by him, what was to prevent me from asking 400,000*l.* for the secret? I positively deny that any such conversation took place. The whole of the questions put that day, with the exception of those which followed incidentally from the reference to the affair of the two privateers sunk off Folkestone, were prepared by Sir Byam Martin previously, were put by him, and the answers written down by him, and I am now in possession of that

document, to which, as I now perceive, Sir Byam Martin affixed at the time the following minute :—

"Mr. Warner has been treated with great favour and indulgence ; and if all the sanguine projectors who may be expected to present their contrivances, are to have them proved at the public expense, and with stipulated promises of reward, the national revenue would scarcely be sufficient to meet their demands. "T. B. M."

I transmitted on the 3rd of September, 1844, Mr. Warner's assertions, as above' to Sir Byam Martin, and received the following answer :—

"During the time I had the satisfaction to be joined with you in that duty, I can safely say that no conversation of the nature stated in his letter ever took place in my presence ; and, as far as I saw, the whole bearing of your conduct towards Mr. Warner, was the reverse of what is described in his published letter.

"So far from desiring to procure from Mr. Warner a knowledge of his secret, you cordially agreed with me in forbidding him to answer any question that could have the least tendency to draw from him any thing leading to its disclosure. You will no doubt recollect, that in order to give this warning the greater force, I committed it to writing, and read it to Mr. Warner before any question was asked of him. This I trust will appear in the papers which, by his desire, are about to be laid before the public.

"No projector was ever more favoured by the Government ; he had every assistance offered to him—men, vessels, and materials, free of all charge; and I can confidently assert, that he received from us every fair consideration and attention. — Ever truly yours, "T. BYAM MARTIN."

In reply to the many insinuations or assertions that the Master General of the Ordnance attributed the abrupt termination of the proceedings to any error or failure on the part of the Commission, or that we had acted in any way contrary to the letter and spirit of his instructions, or that Her Majesty's Government disapproved of our proceedings, it is only necessary to refer to the letters which were received from the Master General,* approving of having refused Mr. Warner's proposition, as wholly at variance with his (the Master General's) Memorandum, and with the arrangements to which Mr. Warner had assented; that we had judged rightly in what we had done; that he (the Master General) had no authority for such a preliminary guarantee as Mr. Warner now requires, nor would recommend such a proposition to the Government; and Sir George Murray, moreover, communicated this to Mr. Warner himself in his letter of the 4th July, 1842 :—

"Ordnance Office, 4th July, 1842.

"Sir—Since receiving your letter of the 1st instant, I have reperused the original memorandum drawn up by me with reference to the mode in which it seemed to me that Government might proceed with regard to your discovery. You were informed of the contents of that paper, and have, if I mistake not, a copy of it. It was submitted by me in the outset to Sir R. Peel, and it having received his sanction, I proceeded, as you are aware, to act upon it.

"I retain the opinion I had then formed, that the mode of proceeding suggested by the memorandum above-mentioned, is one which is fair and just both towards yourself and towards the public ; and I have no authority to pursue any other course.

"The perfect knowledge which you possess of the nature of your discovery, and of the result of the various trials to which you have seen it subjected, may have satisfied your mind fully of the great power of the agent which you employ, of the safety and facility of its application, and of the high value of your secret to any country which obtains the exclusive possession of it. But before the Government of this country can pledge itself to a remuneration so large as that which you claim, it seems reasonable that it should obtain some practical evidence that the opinions and expectations which you yourself entertain with regard to your discovery rest upon solid grounds, and have been formed after a full and impartial investigation of the subject.

(Signed) "G. MURRAY."

On the 25th of April, we reported to the Master General that our proceedings, in the investigation of Mr. Warner's alleged discoveries, had been brought to an abrupt close, by his refusing to observe the terms and conditions to which he had assented; and we made the following report, to which I now particularly request the attention of the House, and claim the support of Her Majesty's Government, in adhering to the resolution which we finally came to, and which Her Majesty's late Government determined to observe :—

"That Mr. Warner should be pushed to submit immediately to extensive experiments with the 'long range,' at a distance of six miles, to prove that the 'long range' can be applied, with perfect safety to the users ; that these astounding powers may be safely and accurately directed : that if he shall effectually destroy a work and its defences, and a hulk or hulks at that distance ; if he can prove that this may be effected at any time and under any circumstances of wind and weather, by exhibiting it, first directly from the leeward, and then directly from the windward of the ship or fort to be destroyed ; we shall report that he has made an omnipotent discovery, which will place him pre-eminent in the annals of the world, and entitle him to liberal reward for a discovery of such immense magnitude and importance, as to be, in Mr. Warner's own words, 'perfectly incredible.'"

But after having devoted a life to the study and practice of such matters, I avow my

* In his published pamphlet the gallant Officer appended here the letters referred to.

entire incredulity, as to the existence of any such power, or if it did exist, the physical impossibility of the "long range." The noble Lord has spoken of this as one of the most important of modern inventions, and which, in his judgment, classes Mr. Warner with the sages to whom the world is indebted—for gas, railways, and, I think, the noble Lord said steam, and far superior to the invention of gunpowder. This leads me, likewise, unexpectedly and off-hand, to make a few observations on the noble Lord's philosophy, and I think I said credulity. It is true, that gas for illuminating our streets, and the giant power of steam, are now effecting, what would have been deemed impossible and visionary half a century ago. But these agents are latent powers of nature, set free by discoveries made, and gradual improvements, pursued, through the paths of science. Gas is distilled from coal—steam vapourised from water; and these most useful and powerful agents act according to the immutable laws of nature. But Mr. Warner asserts a power which sets the most important laws of nature at defiance. Gravitation, by which the system of the universe is maintained—resistance, by which some of the most benign purposes of Providence are accomplished, are nothing to Mr. Warner. When Colonel Chalmers, a member of the late Commission, cautioned Mr. Warner of the prodigious powers of resistance to his long range, he exclaimed,* "Who can frame laws to govern a force which has never before been heard of—a force a hundred times greater than that of gunpowder?" More was urged by the Colonel, but, as he says, Mr. Warner was too dogmatical to reason with. Who can frame laws to control such a force as Mr. Warner imagines? Why, the Almighty Maker of the universe. Does the noble Lord not know, that the doctrine which excludes resistance, would assign powers of range to projectiles surpassing infinitely any that has ever been attained, or can be reached? A projectile, whose random range is about 1,300 yards, with a velocity of 600 feet per second, would range three times as far, were it not for the resistance of the air; and this, which, with moderate velocities, is as their squares, increases in a higher ratio with greater celerities. When a projectile is forced through the atmosphere with a velocity greater than that with which air can rush into a vacant space (and which, in a mean state of atmospheric pressure, is about 1,400 feet in a second), a vacuum is formed behind the projectile, by which the resistance suddenly and greatly increases. It rises to a higher ratio with a greater velocity, and a solid shot projected with 3,000 feet velocity, which would range only about 3,000 yards, would, by the parabolic theory, attain to forty times as far! This, I think, must be the theory of the "long range." It is precisely because Mr. Warner's alleged projectile force is, as he says, a hundred times greater than that of gunpowder, that it would be met by a resisting force greater in an increased ratio, by which the projectile would be opposed, controlled, and reduced to moderate velocities. and limited ranges. We possess in gunpowder a greater force than we require. We reject the random use of it, to gain accuracy. The mighty power by which one of the cliffs of Albion was recently blown into the sea, and the *Royal George* out of it, is more than adequate to any that war requires, or can be used with advantage in projectiles. A shot discharged with great initial velocity is, by the resistance to its flight, reduced, after passing over certain spaces, to the celerity which it would have, at that point, if projected with a lesser charge, that is, with a moderate velocity. The greatest range that ever yet has been attained was by the mortar or howitzer, the trophy that now stands in St. James's Park, which threw a shell filled with lead about three miles into Cadiz, but with such random effect as to do little or no harm. By using the denser metal, lead, that range was procured, and the momentum of the shell, so filled, augmented. A British 13-inch shell filled with lead discharged from a mortar with the full charge, may be projected about as far as the Cadiz mortar threw its shell. I do not say that greater ranges may not be attained; but taking the relation between the calibre and the projectile, length, magnitude, and weight of gun, charge and elevation, and applying these to compute the powers of artillery of size beyond any thing at present in use, or that can possibly be used in war, no great increase, even of random range, could be obtained, by increasing the magnitude of the gun to almost any size. And even then it would be a random range, ascending to an immense height to fall upon a point in an amplitude of 31,600 feet, to compute which, according to the doctrine

* Parliamentary Papers, Minutes of Proceedings, page 44, line 16.

of chances, might require experiments or practice of twenty years' duration, before a vessel could be touched, if such a long range, by any projectile power, were physically possible. My life has been devoted in a great degree to matters of this kind, and I assert, that it is physically impracticable to procure a range of six miles by any projectile force. Mr. Warner first asserted that his long range was not a projectile: he has since asserted that it is. But it may be a balloon, or a kite: if so it is old, and nothing worth.* It may be a compound of projection and propulsion. This were still more ridiculous. I have said, that we possess in gunpowder explosive force quite adequate to effect what Mr. Warner asserts in his invisible shells, and more than sufficient as a projectile force. Captain Harvey of the Navy, soon after I made this observation, exhibited very sufficient proofs of this in his very ingenious experiments, in which he destroyed a vessel quite as expertly and effectually as Mr. Warner did at Brighton; and I believe no other agent was used than gunpowder and, perhaps, some "ready-light" match. I do not deny that Mr. Warner may have hit upon some explosive compound more potent than gunpowder, and some improved mode of causing it to explode, either by mechanical or chemical action; but as to the *modus operandi*, so far from there being anything new in Mr. Warner's process, I hold in my hand a work published at Paris five and twenty years ago—"*Memoire sur les Mines Flottantes et les Petards Flottans, ou Machines Infernales Maritimes; par Montgery, Officier de Marine,*" containing a history of many different modes of blowing up ships by marine fougasses from very early times. This work has for its frontispiece, the destruction of a vessel by an invisible shell loaded with gunpowder, which did its work more effectually than in the case of the *John o' Gaunt*. Mr. Montgery details in this work, different processes for blockading vessels in bays or harbours, by laying down "*torpilles à ligne d'accouplement,*" across their entrances, these *torpilles* being made invisible by being retained below the surface of the sea by anchors, and connected with each other by lines, so that no vessel could pass, without coming in contact, either with a *torpille*, or with the line connecting one with another, causing both to collapse, strike the vessel, and explode. Mr. Montgery likewise details the process by which a vessel in chase of another may be destroyed by the use of two *torpilles*, connected to each other by a line.

"Vessels of all sizes, but above all steamboats, may make use of these torpilles connected with each other by lines. A vessel may even sink another by torpilles connected with each other by lines. Vessels or boats chased by superior forces may deliver themselves from their enemies, by throwing into the sea one or more of these mines flottantes connected with each other. The operation of shutting up an enemy's port, ought to be executed at night, otherwise the enemy having knowledge of it, would easily frustrate the attempt."

This is exactly the Brighton experiment. It were easy to adduce from Mr. Montgery's work, and many others, abundant proofs that there is nothing new in the proposition for submarine mines, as suggested by Mr. Warner. After bestowing a great deal of consideration and research on this subject, the Commission was of opinion that Mr. Warner's invisible shells were of very minor importance, and we attached very little value to them; we consented to witness that class of Mr. Warner's experiments as the only way of getting at the long range. We were of opinion that the Government and the country might safely abandon the invisible shell, to any use that the projector can make of it; but having failed in our endeavours to bring Mr. Warner to the test of his long range, upon the fair, liberal and equitable terms which we proposed, according to arrangements to which he expressly assented, we urged the Government to have nothing more to do with Mr. Warner, unless he would forthwith exhibit to competent persons the actual powers of his long range, which, after all that has been said and written, he confesses he never has tried against a ship, vessel, or building. Let him place his vessel or apparatus where he likes; let the vessel to be destroyed be brought on a given day, by a steam-tug to within six miles of his position, and there anchored or cast loose, directly to windward of his position; let the same thing be done to the leeward: if under these circumstances he succeed in destroying or damaging the hulk, I shall retract all I

* It was proposed during the threat of invasion in the late war, to endeavour to destroy the Boulogne flotilla by such agents; but this was laughed at. It is well known that Sir W. Congreve proposed to destroy towns and forts by the aid of kites. They were to be made of canvass, and of a very large size, so as to be able to carry very great weights. When the kite had reached its place of destination, and stood over the devoted fort, camp, or ship, the shell was to be dropped into the midst of the place or vessel.

have said; allow that the studies of a life are at one blow overthrown, and I shall admit that Mr. Warner has made an omnipotent discovery, which will give him that high place among the sages of the world, which the noble Lord would assign him, and supersede all existing modes of warfare. Sir, I must say that the manner in which this affair has been treated, and the terms in which the Commissioners have been maligned, is not very creditable to the science or public press of the country, or to the service to which we belong. I say nothing of myself: I, individually, entirely despise such attacks and misrepresentations; but two British Admirals and a British General have been accused of treating unfairly, partially, and unfeelingly, a projector whom it was their duty to treat, and whom they did treat, with urbanity, consideration, and the utmost liberality. Some, indeed, of the scientific and literary journals did review and express themselves upon this very important and interesting case in an able, creditable, scientific manner, and in a fair and liberal spirit. The *Artizan* (article ix. 1844), a valuable and well-conducted periodical; the *Polytechnic Review*, which I regret to find is discontinued; the *Athenæum*, (No. 881, p. 829) and some of the daily and weekly journals, have likewise treated this matter fairly and learnedly. Some great organs have been led into error by their mathematical department; but I have been most surprised at the articles which have appeared in a highly respectable military journal, the editor of which ought to have known better. I trust the noble Lord will see how grievously he has been imposed upon; that the House will think that I have completely vindicated the Commission, of which I was a member, from the imputations, aspersions, and fabrications, with which it has been assailed; that the country will see the manner in which Mr. Warner has endeavoured to practise upon public credulity; and, in conclusion, Sir, I trust it will be admitted that the Commission did its duty fairly, impartially, liberally, and considerately towards Mr. Warner, in conformity with the spirit and letter of our instructions; that we had made every preparation that depended upon us, to enable Mr. Warner to prove the existence and efficacy of the astounding powers which he asserts; and that the proceedings of the Committee were brought to a termination, by his flying from the engagements into which he had expressly entered with Her Majesty's Government.

The CHANCELLOR OF THE EXCHEQUER (Mr. C. Wood), hoped his noble Friend would withdraw the Motion. All Captain Warner asked for was a fair opportunity of proving the value of the invention before persons appointed by the Government, and in whom the Government had confidence; and the Government were perfectly prepared to appoint impartial officers, to whom there could be no objection, to investigate the merits of the inventions, and a thorough consideration would be given to whatever report might be made by those officers. Captain Warner had offered objections to the last Commission on account of some individual Member of it; but the Government would endeavour to avoid any such difficulty.

MR. BROTHERTON believed that, some years ago, an opportunity had been presented to Captain Warner by Colonel Sir C. Shaw, in Portugal, of putting his inventions to the test; but various excuses were then made, no eagerness was exhibited to seize the offer, and the gallant Colonel then stated, that such had been the conduct of Captain Warner, he had lost all faith in him and his vaunted invention. It had been said that *The Times* newspaper was a strong advocate of this invention, and he believed that, formerly, such was the fact; but he had placed the letters referring to the transaction he had mentioned in the hands of a gentleman connected with *The Times*, and, so far as he was aware, *The Times* had never since said a word in favour of Captain Warner. He objected to grant 400,000*l.*, not because he considered it was too large a sum for the invention, but because he could not find it in his conscience to vote one shilling for the encouragement of inventors of such an infernal machine as this appeared to be. If they gave any encouragement, they would have infernal machines by the dozen; and men, to produce them, would leave all useful and peaceful employment. To grant such a sum was rewarding a man for destroying his kind.

MR. WAKLEY thought, that, whether the long range succeeded or did not succeed, the question ought to be settled. They were wasting hours every Session in discussing the subject, and it had now become a perfect farce. They heard all sorts of recriminations, all sorts of charges and counter-charges, and nothing would satisfy the public but a trial. The right

hon. Gentleman the Chancellor of the Exchequer stated now, that the Government would appoint, as a Commission, officers in whose jndgment and in whose impartiality they could confide; but then there came the question—would those officers satisfy Captain Warner? What he would ask the Government to do was this—that, in addition to the officers in whom they could confide, they should select two or three persons of acute observation and strong common sense, who should go into the question without any prejudice at all, and represent accurately to the House what they absolutely saw of Captain Warner's invention. The gallant Officer (Sir Howard Douglas) was far from being prejudiced in the matter; but he had a strong conviction of the impossibility of any projectile being discovered with a range of six miles; and even the senses were sometimes discredited when novel experiments in science were concerned. Above all, before they proceeded to any trial, they should have Captain Warner's statement in writing that he was satisfied with the preliminary arrangements, or the question would be brought before them again and again. Considering the just view the Government had taken of the question, he hoped the noble Lord would withdraw his Motion.

SIR H. DOUGLAS explained, that Captain Warner did, on the former occasion, assent to the appointment of Sir Edward Owen and himself.

VISCOUNT INGESTRE thanked the Chancellor of the Exchequer for the spirit in which he had announced the intentions of the Government, and complimented it on its first public act, being what he considered an act of justice. He assured the hon. Member for Salford that he had been misinformed in what he stated relative to Captain Warner, and he should be happy to put him in possession of proofs that he was in error. All he wished was, that the Government and Captain Warner should understand each other thoroughly; and he offered to become the medium of communication between them.

Motion withdrawn.

ESTIMATES.

MR. WILLIAMS wished to make a few observations before the Speaker left the chair. The Estimates about to be moved showed a large increase. Now, as our differences with America were happily settled, the necessity for a large naval and military force no longer existed. There was a vastly increased expenditure since the late Government had held office. The whole charge for the year 1835, when Lord Melbourne's Government was in power, was 48,780,000*l.* The Estimates for this year amounted to 55,500,000*l.*, making an increase of 6,750,000*l.*; and as a saving of 600,000*l.* had been effected by the reduction of the $3\frac{1}{2}$ per cents, the real increase was 7,320,000*l.* He admitted that the late Government, from the aspect of affairs when they held power, were perfectly justified in increasing the army and navy; but the increase of our expenditure had been in general so much, that on the Miscellaneous Estimates there were from 2,000,000*l.* to 3,400,000*l.* There was now no ground even for an increase of the army and navy, as he was quite satisfied that the noble Lord at the head of foreign affairs would use the great ability which he possessed to cultivate peaceful relations with all countries. He had shown that our proposed expenditure over that of 1835 was 2,500,000*l.* more than the income tax, and 2,000,000*l.* more than the malt tax. Was it not worth an effort of the Government so to reduce our expenditure, that either of those obnoxious imposts might be repealed? A Commission had been appointed to ascertain the cost of the collection of the revenue; but it had made only one report, and on inquiring as to its proceedings a short time back, he discovered that it no longer existed. It had been ascertained that no less than six hundred places, from 200*l.* a year upwards, were created by the late Government. This was an expense which the country could not afford, and would not much longer permit. He trusted that the present Administration would follow the example of Lord Grey, and revise the whole system of expenditure, with the view of effecting large and extensive reductions.

MR. HUME begged to call the attention of the noble Lord at the head of Her Majesty's Government to the course which had been adopted with respect to the salaries of public officers by Lord Grey's Government, of which the noble Lord had been a member. A Committee had been appointed to revise all the salaries of public officers, from the Secretary of State downwards; and the country had looked upon that appointment as an earnest of the determination of Lord Grey's Government to practise strict economy in every branch

of the public service. That Committee had issued a report; but it had been found impossible to carry all its recommendations into effect, or to carry the inquiry into other departments, as far as might have been desirable. However, the spirit of economy evinced by that Government had been highly creditable to them, and had gained them the confidence of the country. He wished to know if the noble Lord had any objection to have the several public establishments and departments submitted to such an inquiry as that to which the Irish Estimates had been submitted in 1830, and begged to suggest to the Chancellor of the Exchequer that he should cause all the estimates to undergo the scrutiny of a Committee similar to that to which he had alluded.

Dr. BOWRING called the attention of the House to a most important subject, which would, as he believed, prove a great means of relieving the public from a considerable burden, and render a great public service. The noble Lord at the head of Her Majesty's Government had been a member of a Commission to inquire into the public accounts, which had issued a report wherein certain principles had been laid down for the public accounts, the chief of which had been that the whole of the gross revenue should be paid into the Exchequer, and that all sums should be paid out of it in like manner. At present, however, there was no less than from 6,700,000*l.* to 6,900,000*l.* a year, which altogether escaped the attention of Parliament, and was taken up by various public departments for their expenses in the progress of the revenue to the Exchequer. There were also public departments that received large sums of money from the sales of stores and other sources, which were not known to Parliament, and of which the House had no cognizance. This was, as he conceived, very great irregularity, and he thought that all moneys should be paid into the Exchequer, and that no money should be issued from the Exchequer without the control of Parliament.

Lord J. RUSSELL said, that the hon. Member for Coventry had called the attention of the House to the naval and military expenditure, and to the amount of the expenses of the collection of the revenue. As to the first observation of the hon. Gentleman that the whole increase of expenditure in those branches of public service was to be attributed to the apprehensions which prevailed that the differences between this country and America would grow into something serious, he could not agree. He remembered at the time having asked the question of the right hon. Baronet at the head of the Administration; and the purport of his answer had been, that though this consideration had not been left out in framing the Estimates, yet that the increase of the Colonies, and the demand for civil and military forces, was sufficient to account for the increase of the Estimates. In that view he concurred. The hon. Member for Coventry also spoke of the expenditure of former years; but if he were to make a balance of the expenditure of former years, as compared to that of the present year, he must take into account the increased demand for naval and military forces in our Colonies, and the necessity for stationing naval forces for the protection of our increased commerce. It was but bad economy to exhaust the strength of regiments by over-exertion in foreign service. As soon as he entered office, he had looked into the subject, and he found that there were regiments which had been little more than four years at home that were ordered for foreign service, and that regi- which had been sent abroad in 1825 were abroad still. When such was the infrequency of relief he must say that he could not think it right to make any reduction of military expenditure, which would make this relief less frequent. He could not but think that it was very desirable to carry out the system of having each regiment ten years abroad and five years at home. With respect to the statement of the hon. Member for Bolton as to the expenses of the collection of revenue, the hon. Member must excuse him if he did not give him at present any positive answer. He would, however, turn his attention to the subject. He remembered also the report to which the hon. Member alluded; but he remembered that there had been practical difficulties in carrying its recommendations into effect. The hon. Member for Montrose had spoken of the increased amount of the Miscellaneous Estimates, and wished that they should be referred to a Committee of Inquiry. That subject was of a totally different nature, and had reference to a different question from that of the Naval and Military Estimates. He was not prepared to say that it would not be advisable to have a Select Committee in the course of another Session, to inquire into the Mis-

cellaneous Estimates. Those which would now be submitted to the House had been prepared by his predecessors. However, he would take the subject into his consideration, and it might be found that the suggestion of the hon. Member was one of considerable utility.

SIR R. INGLIS protested against the principle of the framing of the Estimates being left to any Committee, or being left to any body but the House itself.

LORD J. RUSSELL replied, that he did not propose that the Estimates should be framed by any Committee, but suggested that it was worthy of consideration whether or not the Estimates might not be submitted to a Committee of Inquiry. His hon. Friend must be aware that there were frequently Finance Committees appointed by the House, and that if he (Lord J. Russell) were to propose such a Committee, he should not be adopting anything new in principle. He should not consider it advisable to continue such a course from year to year; but thought it might be advantageous to appoint a Committee at the end of nine or ten years.

SIR DE LACY EVANS declared that he was not now so very anxious for economy in military expenditure as he had been on former occasions. He hoped that, whatever measures might be adopted by Government, they would recollect that, if the military department was unduly diminished, very great extravagance, instead of economy, might be the result. Considering the large expenditure of France in constructing fortifications, and in the support of her army, he thought a necessity was clearly shown to Government for being cautious on this point.

MR. CARDWELL thought it should be borne in mind, when hon. Gentlemen were talking of the increase of expenditure, that within the last eighteen months a reduction of the expenses of collection had been effected in the Excise alone to the extent of 52,000*l.*, by the suspension of patronage, and by the diligent attention paid to the subject by the late Government.

House in Committee of Supply.

SUPPLY—ECCLESIASTICAL COMMISSIONERS.

On the Question, that 3,340*l.* be granted for defraying the expenses of the Ecclesiastical Commissioners for England,

MR. E. DENISON said, that one half of the Commissioners never attended the Board at all; and that those who did attend declared that the way in which the business was conducted was not satisfactory. On a former occasion, the Secretary of State for the Home Department expressed a similar opinion. He did not intend to oppose the vote; but he wanted an assurance that the state of the Commission would be taken into the consideration of Government during the recess, and gave notice that unless some alteration took place in the present mode of conducting business, he would move for a course of inquiry in an early part of the next Session.

SIR G. GREY said, the hon. Member who had just spoken was quite correct in his statement of his (Sir G. Grey's) opinion given on a late occasion. He thought the constitution of that body, looking to the business they had to transact, and to the increase in that business which had lately taken place, was not satisfactory. Many members of the Commission, who were public officers, were unable to attend the Board. He did not think it would be right to dispense with their services altogether, for though they might not be able to attend regularly, yet they could give their assistance on special occasions, when it might be valuable. What he conceived to be the defect in the constitution of the Commission was, that no one person was responsible for his attendance, nor could be called on to account for the proceedings of the Board. He had already expressed his opinion that there should be some paid person responsible for attendance on the Commissioners; and to whom the House should look for the discharge of the duties of the Board. The subject deserved the serious consideration of Government, and he should be happy to give it his earliest attention.

MR. W. WILLIAMS contended, that the cost of the Commission ought to be paid out of the revenues of the Church, and not from the public funds.

MR. WAKLEY asked, was it right that the public should pay 3,340*l.* for being told that a portion of the Commissioners did not attend, and that those who did attend performed their duty badly? It was really bringing the Church into odium, to come to the House and ask for payments of this kind.

SIR G. GREY had never stated that the Commisioners had performed their duties badly; but had objected to the Commission as defectively constructed, since there was a mass of business cast upon its members,

and no one of them was paid for attending to it; many of them, however, voluntarily devoted much time to it, and most efficiently performed their duties when they attended.

Sir R. INGLIS insisted that the State, and not the Church, called for the Commission. Its object was to carry into effect an Act of Parliament which the Church opposed, because her property, never having been given by the State, ought not to be so controlled by it. The State ought not to impose upon its victim the expense of the proceeding.

Mr. HUME reminded the hon. Baronet that Parliament took the Church property from the Catholics, and gave it to the Protestants; and Parliament which gave, had a right to take when it thought fit. The complaint of the hon. Baronet was very ungrateful, for the object was to reform and purify the Church by getting rid of its sinecures. As to the vote being necessary to give Parliament a control, Parliament could call for an account at any time without this being in the Estimates.

Mr. F. BARING considered that the bringing the vote annually before Parliament gave the Legislature a practical superintendence.

Mr. TRELAWNY regarded all taxation of this kind as unjust, and advocated the voluntary principle.

Dr. BOWRING asked, why Dissenters were to pay in this instance for the better distribution of money in which they had no interest among a particular body?

Lord J. RUSSELL thought it unnecessary to discuss now the voluntary principle, which he understood to mean that the State was not to pay persons for teaching a particular kind of religion. This vote was asked for to pay a secretary and clerks employed on the business of a Commission, whose office it was to distribute among the parochial clergy, when their stipends were low, certain funds saved from various prebends and sinecure offices; the persons whose salaries were thus to be provided, were no more engaged in teaching, or attempting to teach religion, than if they were clerks at the Admiralty or in the War-office.

Mr. J. STUART thought the hon. Member for Finsbury ought first to complain of the wealth of the Church of Scotland, which was greater than that of the Church of England, in proportion to the number of the Clergy. The present vote was not for the purposes of the Church, but of the State; and the connexion between the Church and the State subsisted for the benefit of the latter, and not of the former. As to what had been said of the voluntary principle—the principle that money raised from persons of various religions ought not to be applied to a purpose disagreeable to any of them, let the consequences of that be thought upon. Why, then, should Quakers pay towards the expense of any war, however just?

Sir R. FERGUSON would not resist the vote, but he thought it highly desirable that an inquiry should be instituted into the expense of working the Commission in Ireland; and most ardently did he hope that the matter would engage the serious consideration of Her Majesty's Government. The expense amounted, as he was informed? to between 13,000*l.* and 15,000*l.* annually. The accounts should be minutely looked into, and the expenditure reduced to as low an amount as was possible under the circumstances.

Lord JOHN RUSSELL observed that the subject was one to which his noble Friend the Lord Lieutenant of Ireland would not fail to direct his serious attention. He expected to have some account from his noble Friend ere long on the question, together with an exposition of his (the Lord Lieutenant's) views as to what ought to be done; and if it should be deemed advisable to come down to Parliament to seek for new powers in reference to the subject, he (Lord John Russell) would be prepared to do so.

Vote agreed to.

SUPPLY—POOR LAW COMMISSIONERS:

On the Question that 120,700*l.* be granted to defray the annual expenses incurred in administering the Laws for the Relief of the Poor,

Mr. HUME thought it was exceedingly desirable that this vote should, in part at least, be deferred until a statement of the evidence which had been taken before the Committees above stairs had been laid upon the Table. He had always on principle supported the Poor Laws; and it was with extreme sorrow and distress that he was led by every day's experience to the conclusion that the administration of those laws had been very much misdirected. It was impossible to overstate or exaggerate the amount of the evils which had been inflicted on the country by the present Poor Law Commissioners, who he believed to be totally incompetent and unfit for their situ-

ations. Indeed so strongly was he impressed with this conviction, that he was prepared to bring forward a Motion for their removal from office, and only waited for the production of the evidence which had been taken before the Committees of that House. Under all the circumstances of the case, he was exceedingly unwilling to vote away the public money (at least in a larger sum than was essentially and imperatively necessary) for the purposes of these Commissioners, until it had been clearly ascertained in what manner they had discharged their duty towards the country. It was trifling with great national interests to permit the present state of things with respect to the treatment of the poor to continue any longer; and most fervently did he hope that the noble Lord at the head of the Government would, with as little delay as possible, take the matter zealously in hand, and devote to it his best attention. He did not want to withhold such sums as might be necessary for the payment of medical officers and other expenses equally important, and to which the public were pledged; but he was for taking a partial vote on account, and leaving the remainder of the estimate undisposed of until the information which had been elicted by the Committees now sitting above stairs had been laid upon the Table of the House — information which would enable the House to estimate in what manner the Commissioners of Poor Laws had acquitted themselves of their duty. He was not for reducing the estimate, but he submitted that the better course would be to take a vote on account for 100,000*l.*, and leave the balance to be disposed of when the question of the administration of the Poor Laws was formally under the consideration of the House.

MR. WILLIAMS agreed with the hon. Member for Montrose, and thought that great responsibility rested on the Government with respect to this matter. It was undeniable that mismanagement and mal-administration of the Poor Laws existed to a scandalous extent, and that the present system of things could not be endured any longer. Such evidence had been brought before the Committees as showed the total incompetence of those who were at the head of the Commission, and their total inadequacy to discharge their duty. The country, he was convinced, would not much longer tolerate the present system, and the sooner the Government looked to it the better.

The CHANCELLOR OF THE EXCHEQUER said, it was now too late in the Session to give to the general question of the Poor Laws as minute and deliberate a consideration as the paramount importance of the subject would require. Whatever consideration might be given to the subject hereafter, or whatever might be the amendments of the present system, which it was desirable should be introduced, it was certain that these objects were not to be attained by resisting the present vote.

MR. HUME submitted, that the House had every right to stop the pay of the Commissioners, if they had not discharged their duty towards the community in a creditable and becoming manner. No less a sum than 6,000*l.* was allocated for the salaries of the three Commissioners; and he, at all events, submitted that this amount should be withheld until the House was satisfied that the Commissioners had acted as they ought.

SIR R. INGLIS supported the Motion. He thought that the question of the administration of the Poor Laws was too important a subject to be entertained by so thin a House as the present—there being not more than about forty Members present. The hon. Member for Montrose wanted to get rid of the Poor Laws and the Commission too.

MR. HUME: No, no. I have stated that I have ever been favourable to the principle of the Poor Laws, but I object to the manner in which they are administered, and to the conduct of the Commissioners.

SIR R. INGLIS was still of opinion that the estimate ought to be agreed to. The withholding of their salaries from the Commissioners would be a very severe sentence upon them, and one which certainly ought not to be come to unless on the clearest evidence of their misconduct. No such evidence was now before the House, and he hoped, therefore, that the vote would be passed.

SIR DE LACY EVANS also supported the vote. He would do so irrespectively of the consideration whether the Poor Laws were mal-administered. Even though misconduct were hereafter to be established against the Poor Law Commissioners, and that on a future occasion they were to be dismissed in consequence, other Commissioners would be appointed in their stead, and the money now voted would be available for the remuneration of their successors.

Mr. WAKLEY would give his most cordial support to the proposition of the hon. Member for Montrose, who, he thought, was bound to divide the House on the question. The time had fully arrived when that House should show, in a manner not to be misunderstood, their opinion of the Commission itself, and of the conduct of the Commissioners; and he knew of no better or more emphatic manner whereby to signify their opinion than by withholding from those functionaries their salaries. If only for one week, it should be done, not through a feeling of vindictiveness, but to testify the displeasure and just indignation of the House. He would not attribute unworthy motives to the Commissioners; but he would not hesitate to affirm that the manner in which they administered to the necessities of the poor was most unfortunate, if not most cruel. They received a salary of 2,000*l.* a year each; and what did they do for the poor in requital of this? He was sorry that he had not with him just at that moment a copy of the diet table of the Bromley Union, in the county of Kent. He could bring it down, however, any evening for the satisfaction of the House; and by a reference to that document, hon. Members would be enabled to form some idea of the treatment which the poor received. What would hon. Members think of the administration of the Poor Laws when they were informed that in the Bromley Union, situated in the county of Kent—the garden of England, as it had been called—the allowance of animal food for the able-bodied paupers, men of strong constitution and vigorous health, was only four ounces in the course of an entire week. Yes, four ounces of meat in the course of seven days, and nineteen ounces of bread *per diem*—seven ounces of bread for breakfast, six for dinner, and six for supper—that was the dietary prescribed in Bromley union for men of strong constitutions, and in the full possession of their health, who were unfortunately compelled, through the inability to procure employment, to seek refuge in a poor-house. The inquiry into the proceedings at the Andover Union presented a horrible picture of the treatment of the poor; but in Bromley, nearer to London, he found a worse diet table. He had it from one of the guardians themselves that the number of the wretched inmates in the workhouse at Bromley amounted to eighty-seven; and it was his impression that the guardian added, that out of these, forty-seven were on the sick-list. He was sure, at all events, that the number forty was mentioned. Nor was he surprised that the fact should be so; for, speaking medically, he would not hesitate to say that if an able-bodied man were to be kept a year on such an allowance of food, his constitution must be inevitably ruined. Foundations of disease would be laid which would be fatal to him. Was it to be endured that the Commissioners should pocket their 2,000*l.* a year for thus treating the poor—torturing men in order to drive them from the House? What did the aged and infirm receive? Fifteen ounces of animal food per week; yet the able-bodied had only four ounces per week, and thirteen ounces of bread *per diem*. Then, he said, the object of the Commissioners appeared to him to be the object originally designed,—to make the workhouse a place of misery and torture to the able-bodied man; and though the hon. Member for Montrose and others expected that the effect of the measure would be to raise wages, the labouring population viewed the workhouse with such horror that they would endure any misery rather than resort to it for relief. He had been informed that, in a parish in Dorsetshire, the men at the hay harvest struck for a rise of wages, and had what they asked, namely, 5*s.* a week. What had they before? Why, only 3*s.* 6*d.* a week. This was at Frampton, in Dorsetshire. This statement had been made by a person resident there to a Member of that House. He was prohibited, by the forms of that House, from going into the facts stated before the Andover Committee; yet the House was legislating on the subject without that evidence. What was to be done? To mark the sense of the House with respect to the conduct of the Poor Law Commissioners. He believed in all the social relations of life they were excellent men; but they were acting on a mistaken principle, and violating the rules of justice to the poor, when they said to the labourer that he should be tortured and driven from place to place by scanty and insufficient diet. From year to year there had been promises of amendment, but none appeared. The tone and manner of the noble Lord to-night, in speaking of this question, inspired him with a better hope. He trusted that the noble Lord was not so wedded to the Poor Law Act that he would not be willing to have a Committee upon the subject. It was quite clear that

the Commission was useless—that it was worse than useless—that it was a monster grievance engrafted on the Constitution, which ought to be removed. Not but that the poor must have some appeal from the local authorities. It was quite clear that they could not be left to the management of the local authorities. There must be some appeal: how it was to be constituted it was not for him to say; but that a radical change was necessary, must be evident to every hon. Gentleman who for the last five or six months had applied his mind to the subject. Therefore, he entreated the noble Lord at the head of the Government to give his early attention to the subject. No subject more urgently claimed the noble Lord's attention than this. The noble Lord was bound to consider what was the condition of the destitute poor under the present system. If they applied for relief, they were told to go into the workhouse; and if they went into the workhouse, the result was what the House was but too well aware of. It was evident that if in the workhouse relief were given at the rates he had mentioned, the poor man would rather starve, having his liberty, than starve in the workhouse. Therefore he remained out, determining to subsist, as he could, upon any pittance he might pick up, than enter the workhouse. That being known to the employers of labour, they offered wages according to the scale of the poor man's necessities, and the consequence was, that wages, throughout England ranged from 3*s.* to 10*s.* or 11*s.* a week. But 12*s.* a week was not sufficient for a man to support himself and his wife and children upon. It was quite evident, that as the poorhouse system was conducted, the poor would subsist on anything rather than go into the workhouse. He (Mr. Wakley) thought the poor man ought to be placed in a situation, if not of comfort, at least of sufficiency, whilst he was on the look-out for employment. He entreated the hon. Member for Montrose to go on with his Motion and take a division, in order to show the Poor Law Commissioners the opinion of the House upon the way in which they had discharged their duties.

CAPTAIN PECHELL cordially concurred in the Motion of the hon. Member for Montrose. He had himself told the Secretary of the Treasury that he was prepared to move the reduction of this vote. Though the Members of the Andover Committee were precluded by a vote of the House from taking notice at present of the facts which had been brought to light relative to the Andover Union, yet it was not possible for anybody to avoid being aware of what was taking place before that Committee, and of the horrors that appeared in the evidence. From what he had seen in the faithful organ of information on this subject, he was strengthened in his determination to support that Motion. He wished to mark his indignation at the conduct that had been pursued, and also his extreme astonishment that the Government did not agree to the very fair proposition of his hon. Friend, to postpone this vote till the next occasion of a Committee of Supply.

MR. J. PARKER could not see any sort of reason for refusing this vote. When the allegations that had been made, with the proofs of them, were regularly before the House, then they would be in a condition to go into them; but without the proofs before them, to take the step proposed by the hon. Gentleman would be quite unusual, and might lead to very considerable difficulties.

MR. HENLEY thought, that after what the hon. Member for Finsbury had stated respecting the diet table of the Bromley union, the hon. Member could not do less than move for a return of that diet table; for when it was stated that the allowance in that union-house was 4 oz. of meat per week for an able-bodied man, with 13 oz. of bread daily and $1\frac{1}{2}$ oz. of cheese, it was obvious that was too little for human sustenance. With respect to the vote, it must be remembered that the vote was to defray the expenses of the Commission only till the 5th of April next; and that being the case, he did not consider that any sufficient reason had been offered for its postponement. Till the report of the evidence alluded to had been laid on the Table, they could not properly act, and there could not be time this Session to examine all the allegations that had been made, or come to any satisfactory determination on the subject. The effect of the Motion would be to stop the Commission at once, and the whole of the unions throughout the country would be at a standstill if the Commission were suddenly stopped. To that, therefore, he could not consent, for it would throw the relief of the poor into confusion, and he should certainly divide against the Motion, if the hon. Member pressed it to a division.

MR. HUME did not wish to embarrass the Government, and also, and principally,

he felt that the House were not yet regularly in possession of the facts of the case against the Commissioners, and that it would not be altogether fair to press his Motion. But it must be distinctly understood that his object had been that so much of the vote should be reserved as would give the House an opportunity of discussing the whole matter on a future day. He was anxious not to be supposed to object to the system of the New Poor Law as it was originally established, but only to the administration of it at this time. As the question could be raised on other occasions, he should consent to withdraw his Motion.

Sir R. FERGUSON wished to know whether it had been the intention of the late Government that the plan of increased allowances to schoolmasters and schoolmistresses in workhouses, auditors, and medical officers should be extended to Ireland, and whether they had intended to relieve the county rate in Ireland from the expenses of paying medical officers for the poorhouses?

Sir J. GRAHAM replied, that the sums in the Estimates for the three purposes mentioned by the hon. Gentleman, had been intended by the late Government to be limited to Great Britain, the sum for medical relief more especially. The intention of the late Government had been to relieve the counties in Ireland of the moiety of the expense of the constabulary, amounting to 180,000*l.* a year nearly; and, considering that that large amount was added to the public charge, and that 100,000*l.* had been voted for education for Ireland, they had thought, on the whole, that the arrangement was fair that this relief, with respect to medical officers, should be limited to Great Britain.

Mr. WAKLEY would follow the example that had been set him, and give way upon the present occasion, hoping that the discussion would be productive of good. Perceiving that it was proposed to vote 70,000*l.* for the part payment of the medical officers of the Poor Law districts in England, he wished to know whether it was intended to make any new arrangement with respect to their appointment. It was quite clear that some new mode of appointment ought to be made, which should render the medical officers more independent of the authorities under which they now exercised their duties, It was proved at the inquiry at Andover—not the inquiry before the Committee of that House—by Mr. Westlake, that he was in constant fear of bringing the abuses of that union before the board of guardians, lest he should be dismissed by them. However, Mr. Westlake did ultimately make a complaint, and he was no longer the medical officer of the union. He had been driven from his office, and there was every likelihood of Mr. Westlake being obliged to leave Andover in consequence of the offence he had given to the influential men in that town connected with the board of guardians. The services which that gentleman had rendered to the public and to the poor by his public spirit were incalculable; their value could scarcely be over-estimated; and yet what was his position? He found that he was deserted by his old friends; he had lost the most important office he held; and after having practised at Andover for several years, maintaining a most respectable character in society, he would now have to go and seek practice elsewhere. When a man was performing services for the destitute poor, who had no power to render him services in return, he ought to be in a position as perfectly independent as possible, and compatible with the honourable and just discharge of his duties. When medical officers were, year after year, entering into new contracts with the boards of guardians, they felt so dependent on their situations that they could scarcely exercise those functions which they ought for the benefit of the poor. It was well known that medical officers in gaols were empowered to order what they deemed necessary for the sick criminals: wine, meat, fish, jellies, &c., they ordered without stint, complaint, or rebuke from the magistrates; and it was right that the medical officers should have these powers, because these orders were made medically. He knew that in many unions the medical officers had given the greatest offence, because they had ordered a quantity of animal food in this or that case out of the workhouse, and had thereby endangered their tenure of office. It was now proposed to pay from the revenue of the State one-half of the income to be granted to medical officers for attendance on the poor: he should have preferred that the State should have taken the whole of the payment and the whole of the appointments on itself, taking away those appointments from the guardians. Let the House consider the condition of a poor man, with five or six children, who in the plenitude of his health received no more than 10*s.* or 12*s.* a week,

prostrated on a bed of sickness; and if the medical officer in such case ordered meat, jelly, wine, or beer, or anything that was essential for the sick man's welfare and recovery, ought he to receive from any individual a frown or check for the discharge of his duties? In such a case of emergency he ought to be as free as the air he breathed to take whatever course he liked, and ought not to be acting under dread of rebuke or dismissal. This was an extremely important subject, which must force itself on the attention of the noble Lord when legislating on the general question of the Poor Laws in the next Session of Parliament; and he did trust that its magnitude and importance would receive full attention from the noble Lord.

SIR J. GRAHAM thought, that as the Government had so recently come into office, it was impossible for them yet to have given attention to all the minute details of this subject; and he therefore might be excused if he stated the view which he and his late Colleagues took of it. He admitted that the question was a most important and difficult one. It had been the subject of especial inquiry before a Committee of that House, presided over by Lord Ashley; and in consequence thereof a change had taken place by a general order issued by the Poor Law Commissioners, with the sanction of the Government. Two important alterations were introduced under that order. There had been a practice of putting up the office of medical relief to auction, and, consequently, of appointing such medical officers as sent in the lowest tenders, without sufficient consideration as to competency and efficiency. That practice was abolished under the order. Another arrangement was also included in that general order, which, he thought, introduced an improvement, and approximated very much to the principle which the hon. Member seemed to think expedient. The new arrangement was this, that the appointment of medical officers, in the absence of any specific term being assigned, should be held to be appointments during good behaviour, thereby rendering their situation as independent as in propriety it could be; for it was necessary that the power of dismissal should exist somewhere. He thought it necessary that in the exercise of their local patronage, the boards of guardians should have their decisions in this respect supervised by some central body, for the sake of the interests of the poor. The hon. Gentleman thought that the appointments had better be vested in the Government; but he (Sir J. Graham) was very much mistaken, supposing such a proposition had been made by the Government, if the hon. Gentleman himself would not have objected to such an increase of patronage. As the matter was arranged at present, he thought the plan was, on the whole, the best that could be. The local bodies, having the advantage of local information, made their selection in the first instance; but that selection was not perfect or complete till the central board assented to it. It was the duty of the central board to make inquiries on the subject, to see whether the selection made were good; and, if satisfied, they were responsible for the sanction they gave. He repeated that in the absence of a fixed term of employment, the employment was for life or good behaviour, subject only to the power of dismissal in the governing body. The public paying half the expense of the salaries, would render the boards of guardians willing in some respects to increase them; whilst the other half falling on the ratepayers, would form a salutary check against extravagance. He had stated the reason why this experiment should be tried for one year; and the whole question of the Poor Laws would come under revision next year. There must be some central authority, as he indeed had understood the hon. Member to have admitted; though he (Sir J. Graham) did not say that that which at present existed was the best that could be constituted. He was not aware of all the circumstances attending the case at Andover; but, if he mistook not, the dismissal of the medical officer there was the act of the local authorities, and that circumstance, in the judgment of the hon. Gentleman, must serve as a confirmation of his opinion that local authorities required some control.

MR. HENLEY observed the sum of 30,000*l.* set aside for the payment of schoolmasters and schoolmistresses of the Poor Law unions, and he desired to know in what manner this sum was to be applied? Was there to be an increase in the amount of salaries, or was there any new casting of these offices? As to what had been said relative to the practices observed by the medical officers, it should be remembered that the Poor Law Commissioners originally forced the guardians to set the office up by auction; the local authorities had had nothing whatever to do with the evils spoken of as existing in the medical

department. If, therefore, there was any obloquy in this matter, it ought to be saddled on the right horse.

SIR J. GRAHAM: The power of appointment of schoolmasters and schoolmistresses will remain in the board of guardians, as at present, subject always to the Poor Law Commissioners' consent. There was, in this estimate, a considerable increase in the salaries, more especially in the salaries of the schoolmasters; and the expectation was that, for the future, this would be an inducement to more competent and better educated persons than those who heretofore had filled the situations to accept these offices.

Vote agreed to.

Several other votes having been agreed to, the House resumed, and adjourned at a quarter past One o'clock.

HOUSE OF LORDS,

Tuesday, July 14, 1846.

MINUTES.] PUBLIC BILLS.—2ª. Spitalfields New Street; Juvenile Offenders.

PETITIONS PRESENTED. By the Earl of Powis, from Saint Asaph, and a great number of other places, against the Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—By the Bishop of Norwich, from the Mayor, Aldermen, and Burgesses of Norwich, for the Employment and Reformation of Discharged Prisoners.

THE SUGAR DUTIES.

LORD BROUGHAM wished to ask his noble Friend the President of the Board of Trade a question upon a subject of great importance. He understood from the Votes of the other House of Parliament, that notice had been given by the First Minister of the Crown of his intention to introduce a short Bill for the continuance of the present Sugar Duties for a limited period. There could, of course, be no objection to this proceeding. But what he objected to was this—that there should be any delay in bringing in a measure that would effect the final arrangements of these duties. He hoped that Her Majesty's Government would obtain good security while passing this temporary Bill through the House, that no unnecessary delay would be thrown in the way of the greater measure so as to keep it back for a late period. If the final measure were delayed so late as the 12th August, he was afraid that other questions than that of sugar would be engaging their Lordships' attention. He thought it ought to be understood that there would be no loss of time in bringing on this measure, so that it might even be proceeded with while they were passing the temporary Bill.

The EARL of CLARENDON replied that it was absolutely necessary to propose a measure for the continuance of the present Sugar Duties for a short time, for the present Act would expire on Saturday fortnight. There would be ample time for the discussion of the other measure, and he could assure his noble Friend that not one single day's delay should arise in passing it.

THE SALARIES OF THE CHIEF JUSTICES.

LORD BROUGHAM said, he regretted the absence of the noble Marquess the Lord President of the Council (the Marquess of Lansdowne), inasmuch as he wished to call attention to a subject which he was sorry to be obliged to mention. He wished to give a general notice of his intention to submit to their Lordships' consideration an important question, which was now peculiarly pressed upon them on account of the acceptance (although he believed the appointment was not as yet completed) by his learned Friend, Serjeant Wilde, of the Lord Chief Justiceship of the Court of Common Pleas. One of the Acts which he deeply lamented he had ever permitted to pass their Lordships' House when he had the honour of holding the Great Seal, was that to which he was now about to refer. That most improper and wholly unconstitutional proceeding, however, did take place at the time he had the honour of holding office; and he did not mean but to say that he was in some degree responsible for that measure which allowed the salary of the Lord Chief Justice, to whom the Act of Parliament gave 10,000*l.* a year, and which Lord Tenterden was entitled to enjoy during his life, to be reduced to 8,000*l.* a year. Their Lordships permitted that arrangement to be made, though they should never have consented to it. His Lordship's executors—and if he were one of them he should feel bound to advise it—were entitled, he would show, to receive the 2,000*l.* a year which Lord Tenterden had abstained from taking. The Act was not a permissive Act, nor one giving power to the Treasury to make such a reduction; and it was wholly unconstitutional to make any learned judge dependent upon the mercy of the Treasury. The Acts of the 6th George IV., caps. 82 and 84 (the latter applying to the Common Pleas, to which his learned Friend Serjeant Wilde was appointed Lord Chief

Justice), gave 10,000*l.* a year to the one Chief Justice, and 8,000*l.* to the other, payable by quarterly payments to themselves, out of the Consolidated Fund of Great Britain. He must remind the House of this fact, and observe how monstrous it would be because a Government was pleased to make a bargain with one Lord Chief Justice, by which he was to take less than he was really entitled to receive, and the residue to be paid into the Consolidated Fund—how monstrous it would be to continue the same course in respect to other Chief Justices; and perhaps to go still further, and say that they should have 6,000*l.* instead of 10,000*l.*, and then to dole to them an increased 500*l.* a year, according as these learned judges behaved to the satisfaction of the Crown. He hoped and trusted that something would be done to amend this defect in their proceedings. He had not seen any Act that had passed on this subject since the 6th Geo. IV., although he had certainly an impression on his mind that some Act of the kind had passed their Lordships' House. He had abstained from bringing this question before the House at an earlier period only because his noble and learned Friend the Lord Chief Justice of the Court of Queen's Bench had entreated him not to bring it forward, because of the pain which any discussion on the point would cause him, and the motives to which a reference to it might be attributed. A judge more utterly beyond all possibility of being influenced by such considerations than his noble and learned Friend, had never existed; and a man caring less about money than the present Lord Chief Justice, was not to be found in the Queen's dominions. That, however, was no reason why he should now abstain from bringing this subject forward, when, perhaps, they would have a repetition of the same traffic. Such a proceeding, he thought, was greatly to be reprobated—that when an Act of Parliament assigned to a particular office a certain salary, a lower salary, by an arrangement between those who were not entitled to make the arrangement, should be given. At present no Act—and he could not find one—had passed to alter the former statutes. The Act said distinctly that the Lord Chief Justice should receive the salary of 10,000*l.*, whereas the financial accounts showed that he only received 8,000*l.* a year.

EARL GREY said, he could not deny that the subject to which the noble and learned Lord had called the attention of the House was one of great importance. He understood his noble and learned Friend to complain that some arrangement had been made some years ago as to the salaries of the Lords Chief Justices, which was not in conformity with the law applying to that subject. Their Lordships would recollect that, in 1830, there was appointed a Committee of the other House of Parliament, by whom the salaries of all the great officers of State were revised, and in many instances reduced. All the principal officers of the Government had their salaries reduced; and, in respect to judicial officers, an arrangement was made that, prospectively, those salaries also should be reduced. Afterwards, however, when a vacancy in the office of Chief Justice of the King's Bench (as it then was) arose, the proper mode of carrying the intended reduction into effect was not adopted. He was very sorry that such was the case; but, if his noble and learned Friend thought it so objectionable, he greatly wondered that, at the time, he did not do that which was so perfectly simple and easy to do—that is, pass an Act of Parliament to sanction the arrangement which had been made, instead of letting it stand merely as a matter of arrangement. In point of form, it would, no doubt, have been better that such an Act had been passed; but, practically, there being no difference between the two modes of accomplishing the same thing, no evil had been done. His noble and learned Friend had paid a just compliment to the character of his noble and learned Friend the Lord Chief Justice of the Court of Queen's Bench; but, even if there had been a man of a different character to deal with, there could be no such abuse of power as the noble and learned Lord appeared to think possible: the actual payments appeared in the finance accounts; the transaction attracted the attention of the public; and any practical abuse was therefore altogether out of the question. He, however, so far agreed with his noble and learned Friend as to think that in these matters form should be strictly adhered to. It must be recollected, that his noble and learned Friend (Lord Brougham) was specially intrusted with the conduct of the business at the time it took place; it was his province to see that nothing was done wrongly; and certainly he, at the time, took no step in the matter.

LORD BROUGHAM: I didn't know anything about it.

EARL GREY: My noble and learned Friend had charge of this business.

LORD BROUGHAM: I never knew anything of it; I was never told of it.

EARL GREY: On my own personal authority, I can contradict that. My noble and learned Friend, I know, did know it.

LORD BROUGHAM: Never heard a word of it.

EARL GREY: I know as well as possible that my noble and learned Friend was informed of the arrangement.

LORD BROUGHAM: No doubt I was cognizant of the arrangement after it was made; it must have been communicated to me.

EARL GREY said, that at that time the attention of the Government was particularly directed to the subject by the report of Lord Ashburton's Committee, and many salaries were reduced in consequence. The noble and learned Lord was Lord Chancellor at the time, and must have been aware of the proceeding, for it could not have taken place without his sanction. There could be no doubt then that the noble Lord was cognizant of and authorized what had taken place, for it was his business more than that of any other Member of the Government to look into the matter. In consequence of what had taken place, he could say, that he was sure that his noble Friend at the head of the Government would direct his attention to the subject; and, if it was deemed necessary, a Bill would be brought forward, so that a more regular form of proceeding might be adhered to.

LORD BROUGHAM had not addressed himself to the noble Earl, but to a noble Lord, who at the time held a much higher office in the Government than the noble Earl, and who would naturally know more about the matter. The noble Earl had taken upon himself to say, on his own personal knowledge, that he (Lord Brougham) knew that at the time which he on his honour stated that he was ignorant of. He had asked for information from the real head of the Government in that House, the noble Marquess, whose absence he regretted; and he (Lord Brougham) stated, that he was not aware of the circumstance at the time; but the noble Earl must get up and contradict him, and say that he did know of it. When, however, the noble Earl proceeded, it appeared that he (Lord Brougham) must know of it, because he was Lord Chancellor at the time, therefore it was that he probably knew of it. So that it appeared that this actual knowledge about which the noble Earl was so peremptory, had dwindled down to probable knowledge only. Now, the facts of the case were these: he (Lord Brougham) did not know of the proceeding until he received a communication from two learned Judges, the late Mr. Justice Bosanquet and Mr. Justice Patteson, remonstrating on the step that had been taken after the arrangement had taken place. The noble Earl had stated, that he ought to have done that under the circumstances which the noble Earl was himself unable to do, viz., pass an Act of Parliament under circumstances which it was impossible to do; that is, to pass an Act when he was, as the noble Earl was himself now, in a minority in that House. And what would have happened if he had brought in a Bill on the subject? Why, it would have been thrown out. But he should not have approved of any Bill of the kind; for he thought that 10,000*l.* a year was a fit and proper salary of the Lord Chief Justice of the King's Bench. An appointment had just been made to the office of Chief Justice of the Common Pleas, and this induced him to bring forward the subject. The salaries of the Lord Chief Justice of the King's Bench had been fixed at 10,000*l.* a year, and of the Common Pleas at 8,000*l.* a year, by Act of Parliament. The noble Earl, however, said that they were justified in going from this, not by a more recent Act of Parliament, nor by a report, or resolutions of both Houses, and sanctioned by the Crown, but by a report of a Committee of the other House, without any Act having passed. He was not learnt in this fashion in the Constitution of England, that a Resolution of a Committee of the House of Commons should be an equivalent for an Act of Parliament. The noble Earl, however, said that it was of no consequence—that it would not be abused; he added, however, that it might be better, as a matter of form, to have an Act, but still everybody would be able to know what was received, so that no abuse would exist. This 'everybody would assent' meant anybody might do so. This 'everybody' was a most convenient person to enable any one to escape from a difficulty, and to put forward when it was desirable that no one should be responsible. When they abolished the sale of offices of the courts by the Judges—and up to that period, the proceeding was perfectly legal—they increased the salary of the Lord

Chief Justice to 10,000*l.* a year. What he objected to was, that when the Act of Parliament said that the learned person filling that office should have 10,000*l.* a year, the Government made a private bargain, so that he should receive only 8,000*l.* If this proceeding was sanctioned, the greatest mischief might be produced, as the Government might be inclined to dole out what additional salaries it pleased to the Judges. But it was said that this would be seen in the Estimates; but this again was everybody's business, to look after which, after all, nobody might do. He had put to the Lord Chief Justice of the Common Pleas a question on this point—and no one could be more entitled to the full amount than that learned person, above all, considering the large professional emoluments he received—namely, as to whether he was aware of the cutting down of the salary of that officer from 8,000*l.* to 7,000*l.* a year, and he said no, and that he should think twice before he took it.

LORD CAMPBELL must agree entirely with his noble and learned Friend opposite, that things should not remain as they were; and that, if it were necessary, an Act of Parliament ought to be immediately brought in to remedy the defect. The salaries of the Judges ought not to depend upon any arrangement between the Judges and the Government. Now, his noble Friend who sat near him had intimated no opinion on this subject—on the contrary, he had stated in the most distinct terms that the noble Lord now at the head of the Government would inquire into it, and that if it were necessary an Act of Parliament should be introduced for remedying the matter. There could be no doubt that if there had been an Act of Parliament passed, if Lord Denman or any of his executors chose to insist on their rights, they would be entitled to recover the balance of the whole of the specified salary. His noble and learned Friend opposite ought, if he felt that these matters required a remedy, to have brought in an Act when he occupied the seat on the Woolsack; he was the party that should have seen that all these things were right. His noble and learned Friend had said that he could not have carried such a Bill. He (Lord Campbell) knew that his noble and learned Friend had carried Bills despite of the large majorities with which his measures were threatened; and he also knew that if he had introduced a Bill on this subject, it would have passed both Houses of the Legislature with perfect unanimity. His noble and learned Friend could not say that he disapproved of the arrangement, as he continued to hold the Great Seal; and he (Lord Campbell) knew his spirit and his courage too well to suppose that had he failed in carrying such a measure he would not have continued to hold office; he would not suffer his opinion on such a subject to be overruled. His noble and learned Friend threw great blame on himself for this proceeding, and appeared to feel that he had been greatly in the wrong; and in this he (Lord Brougham) reminded him of the Pope who, finding himself in error, exclaimed "*Judice me cremari,*" "I condemn myself, and order myself to be burnt."

LORD BROUGHAM explained.

The LORD CHANCELLOR agreed with his noble and learned Friend that it was irregular to reduce the salaries of the Judges without an Act of Parliament; there ought to have been an Act of Parliament; and when his noble and learned Friend found out that the Lord Chief Justice's salary had been reduced, then he should have put it either into proper form, or the salary should have remained 10,000*l.* Either the salary ought to remain 10,000*l.*, or there ought to be an Act of Parliament to make it 8,000*l.* His noble and learned Friend alluded to some supposed understanding with the present Lord Chief Justice; but he utterly disbelieved that anything of the kind had passed. He succeeded to the office, and of course succeeded to the office with all the emoluments belonging to it.

Subject at an end.

THE THAMES EMBANKMENT BILL.

VISCOUNT CANNING moved the Second Reading of the Bill for embanking the river Thames at the northern side, between Vauxhall-bridge and Battersea-bridge. It was also proposed that a new bridge should be built across the river somewhere about Chelsea Hospital. The expense would be about 160,000*l.*, which would not, however, be charged to the public. The noble Marquess behind him (the Marquess of Westminster), and other owners of property in the locality, had dealt very liberally with reference to those improvements, and the whole amount of their contributions was estimated at something between 40,000*l.* and 50,000*l.* The tolls would not, he thought, be overestimated at something like 6,000*l.*, which would

pay something more than 10 per cent of the cost of the bridge.

Lord KINNAIRD observed that the Report of the Metropolitan Termini Commissioners recommended that the mode of communication between the south and north sides of the river should be by a bridge somewhere in the direction referred to; and he (Lord Kinnaird) suggested that it would be worthy of consideration whether the bridge now proposed to be constructed would combine both purposes.

Viscount CANNING, as a Member of the Committee to whose Report the noble Lord had referred, was of opinion that the bridge, to answer the purpose contemplated by them, should be very far westward of Chelsea Hospital.

Bill read 2ª.

House adjourned.

HOUSE OF COMMONS,

Tuesday, July 14, 1846.

Minutes.] New Writ. For Sutherland, *v.* David Dundas, Esq., Solicitor General.

New Members Sworn. For Manchester, Right Hon. Thomas Milner Gibson. — For Plymouth, Viscount Ebrington.

Petitions Presented. By Mr. Bannerman, from Members of Free Union Church, Aberdeen, complaining of the Refusal of Proprietors of Land to grant Sites for the Erection of Free Churches (Scotland), and praying the House to devise Means for enabling Congregations to Rent or Purchase Ground on Reasonable Conditions.—By Mr. Gaskell, from Rural Dean and the Clergy of the Rural Deanery of Wenlock, in the Diocese of Hereford, against the Union of St. Asaph and Bangor, but at the same time providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—From Inhabitants of the Districts of Muswell Brook and Merton, in the Colony of New South Wales, praying the House to admit Wheat, Maize, and Flour, the Produce of Australia, into the United Kingdom on the same Terms as Wheat, Maize, and Flour, the Produce of Canada.—By Sir William Codrington, from Farmers, Landowners, and others, in the Hamlet of Mangersbury, and from Churchwardens, Overseers, and Guardians of the Poor of Stow on the Wold, for Rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By Mr. Cobden, from Market Gardeners and Growers of Fruit at Ealing, Brentford, Hounslow, Isleworth, and the Vicinity, for Alteration of Duty on Sugar.—By Mr. Cobden, from J. and F. Lloyd and Co., Manufacturers of Tobacco and Snuff in the City of London, for Reduction of Duty on Tobacco.—By Mr. Blackburne, from Inhabitants of Warrington, for Regulating the Trade of Fustian Cutting.—By Guardians of the Gateshead Poor Law Union, and from Guardians, Churchwardens, Overseers of the Poor, and others, the Inhabitants of the Parish of Broadwater, for Repeal or Alteration of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Mr. Christopher, from Thomas Johnson, and others, for a Superannuation Fund for Poor Law Officers.—By Mr. Bury, from Inhabitants of Bury, for the Abolition of the Punishment of Death.

TOBACCO DUTIES.

Dr. BOWRING rose for the purpose of bringing forward his Motion on the duty on tobacco, with a view to the revision and alteration of the law upon that subject. The more he had examined the question, the more imperative seemed it upon him to direct the attention of Parliament to the frightful consequences of the present state of the law. During the last Session a Committee had sat and had made the most diligent and elaborate inquiries; and to the report presented certain valuable papers had been added on the Motion of the hon. Member for Montrose (Mr. Hume). From these sources it appeared that the duty upon tobacco amounted to between 800 and 900 per cent upon the value of the raw commodity. The Committee would have come to a resolution for reducing the duty to 1*s.*, but for the vote of the Chancellor of the Exchequer, who had charge of the fiscal arrangement of the country, and who opposed himself to a change so materially affecting the revenue. Consequently, in spite of the irresistible evidence taken by the Committee, the law had been allowed to continue with all its unmitigated evils. He (Dr. Bowring) thought he could show to demonstration that other and higher considerations were involved than the mere amount of receipts at the Treasury. If the House were bound to look to the receipts at the Treasury, it was also bound to look at the amount of immorality, crime, and misery occasioned by those receipts. The amount of human guilt and wretchedness fostered and encouraged by the existing law, was, in truth, incalculable; and the whole system required prompt revision. The hon. Member then entered into a variety of details in support of his position, beginning with the number of convictions. In 1846 the convictions in our courts, for breach of the laws relating to tobacco, were no fewer than 538; while for breaches of the laws relating to spirits they were only 101 ; for tea, 11; for silk, 10; and 25 for all other articles. The rapid increase in the convictions before magistrates was another remarkable feature. In 1843, they were 430; 1844, 583; 1845, 702; and in 1846, 872. The ratio in Ireland and in Scotland was even greater; for while in England they were 102 per cent, in Ireland they were 252 per cent, and in Scotland 451 per cent; but of 333 persons convicted last year of smuggling tobacco in quantities exceeding 100 lbs., only fifteen persons had paid any fines, and the aggregate amount of those fines was only 805*l.* The enormous charges that fell upon the pub-

lic in consequence deserved consideration; 1,478 prisoners had to be maintained in jail, at a cost of more than 5,000*l.*, without reference to the cost of prosecutions and other incidental expenses. It was grievous to see, also, that the greater portion of the parties convicted of smuggling tobacco were British sailors. In Hull, out of 85 persons, no fewer than 57 were sailors. At least one-third of the seamen from the Baltic, and employed in crossing the Atlantic, were habitually engaged in defrauding the revenue. The hon. Member next called attention to the amount of tonnage of shipping he supposed to be more or less concerned in this illegal trade; maintaining, on evidence taken by the Committee, that there was scarcely a vessel engaged in coasting that did not to some extent contribute to the smuggling of tobacco. Testimony of the most remarkable kind had been obtained to show in what way whole cargoes were clandestinely, yet openly, introduced into the very heart of the metropolis. One gentleman had imported geese and fowls from abroad, in crates; and these crates were composed of nothing but twisted tobacco, which were seen and handled by the custom-house officers without detection. He dilated upon the seminaries for smuggling existing in various parts of the Empire, and upon the manner in which children were employed in the contraband introduction of tobacco; beginning as smugglers and ending as thieves. He contended that public opprobrium did not attach to offences of the kind; nay, that sympathy was often felt for the parties accused, and that smuggling was carried on by wholesale as well as by retail, in cargoes or in small quantities; and that it employed the rich as well as the poor, the merchant as well as the beggar who could only muster a few pence to risk in an adventure. He adverted also to the heavy cost of the coast-guard, amounting to 600,000*l.* or 700,000*l.* per annum, much of which might be saved if the duty were lowered, and the inducement to smuggle thereby diminished. It was the general belief that the amount of smuggled tobacco was at least equal to that on which duty was paid. In one district there were introduced 26,686lbs., in another 48 bales of 60*l.* each. Having called the attention of the House to a table that had been prepared with great care, containing the results of the evidence the Committee had taken, he went on to notice the smuggling from Jersey, which we understood him to say amounted to not less than twelve tons of tobacco per month. He also adverted to the quantity of Dutch snuff sold in London, none of which was legally imported. On the whole, he estimated that not less than 21,747,000 lbs. of tobacco were fraudulently introduced every year. No doubt chemical and microscopic arts had much advanced of late years, and had been employed in aid of the revenue to detect adulterations of tobacco; but the illegal trader was also able to avail himself of the assistance of science; and he (Dr. Bowring) contended that in many cases innocent dealers, who had been the dupes of others in the purchase of adulterated tobacco, had been unduly convicted. It was known that in some cases the Excise had been obliged to make ample restitution to parties, as it appeared afterwards, falsely accused, but duly convicted on the mistaken evidence of philosophers employed by Government to detect the adulteration of tobacco. This was one of the many evils arising out of the present system, and calling loudly for a large reduction of duty. There was a general feeling, in which he concurred, that tobacco was a fit object for taxation; but that taxation must not be so high as to maximise the motives of the smuggler to defraud the revenue. While people were considering how many millions sterling were paid into the Treasury, they forgot the amount of crime and wretchedness produced by this species of legislation. In 1843 the number of sailors employed in the Baltic and United States' trade was 96,920; and of that number there was scarcely an individual who was not more or less a user and importer of illicit tobacco. To these were to be added 131,462 sailors engaged in the coasting trade, most of whom contrived to get tobacco similarly introduced; and between both some idea might be formed of the number of persons employed under the existing system of duties in defrauding the revenue by the use of illicit tobacco. He thought these facts were sufficient to justify him in saying that the Government were called upon to institute an inquiry into the operation of these duties, more especially at a time when a general investigation of the financial affairs of the country was thought advisable. He would appeal to the noble Lord whether he would allow the enormous mass of offence and misery exhibited by this return to be passed over, and whether

he would not be ready to put an end to it, even by some small sacrifice to the revenue, by a reduction on the tobacco duties. He, however, entertained strong doubts whether such a reduction would be followed by any loss to the revenue whatever, as he believed it likely that a reduction in the duty would be made up by the increased consumption to which it must lead. He hoped that if the House agreed with him on these points, they would permit him to move that "it is the opinion of the House that the tobacco duties require an early inquiry into their operation and effects."

MR. HUME seconded the Motion.

Mr. STAFFORD O'BRIEN rose to address the House, when

An HON. MEMBER observed that there were not forty Members present.

House counted; when only thirty-four Members being present, it was adjourned.

HOUSE OF COMMONS,

Wednesday, July 15, 1846.

MINUTES.] NEW MEMBERS SWORN. For Perth, Right Hon. Fox Maule.—For Hertford, Hon. William Francis Cowper.

PUBLIC BILLS.—2°· Charitable Trusts; Administration of Justice.

Reported. Commons Inclosure (No. 2).

3°· and passed. Battersea Park.

PETITIONS PRESENTED. By Colonel Thomas Wood, from Farmers, Gardeners, and other Persons interested in preserving Good and Commodious Public Roads, residing in the Western Part of Middlesex, and the Counties Adjacent, for Alteration of the Highways Bill.—By Captain Pechell, from Inhabitants, Householders, Traders, and Residents in the Vicinity of Westminster Abbey, for the Redemption of the Tolls on Waterloo and other Bridges.

COMMONS ENCLOSURE BILL.

House resolved in Committee *pro formâ* upon the Commons Enclosure Bill.

MR. HUME thought it would be better to repeal the former Bill and re-enact it, with the additions, in the present, so that the whole measure would be made to harmonize together, otherwise ordinary men would be unable to make it out.

SIR J. GRAHAM agreed on principle with the hon. Member that, generally speaking, it was advisable to consolidate the law when alterations were made in antecedent Acts of Parliament. But he could not say that this was a Bill to which that general principle applied. The antecedent Bill passed only last Session; the present Bill extended and enlarged its powers, but it was not necessary to repeal and re-enact them. When an Act so recently passed was brought again before the House, Members were apt to object to some of its clauses. He proposed a clause enacting that copyhold and customary lands may be exchanged with the consent of the lord of the manor. This was in analogy with the Tithe Commutation Act, with this difference, that the exchange under the Tithe Commutation Act was compulsory, whereas this Act proceeded upon an opposite principle, that of agreement. Another clause authorized boundaries of leasehold to be declared in award, setting out the boundaries of copyhold or customary lands, or by distinct award.

Bill passed through Committee.

Report to be recommitted.

CHARITABLE TRUSTS BILL.

MR. HUME moved the Second Reading of the Charitable Trusts Bill. As serious objections had been taken to this measure, he thought he should best fulfil the object in view by merely retaining those clauses which secured the accountability of those who had charge of public money. It was the duty of the House, after the expense which had been incurred in inquiries, to have some accounts available that would show how the revenues of each trust had been expended. It was not his intention to include the Bible Society, and other religious trusts or charities where the founders were alive, but those only where the individuals were dead. The principle of the Bill was to secure the accountability of persons intrusted with public moneys.

SIR G. GREY should not offer any opposition to the second reading of this Bill; but the House must not suppose that this was a substitute for another Bill, which had been thrown out in the other House, or for a more general measure.

MR. BROTHERTON considered this a very valuable Bill, and one which would give great satisfaction to the country.

MR. T. EGERTON inquired whether, in the case of mixed funds, it was intended to require accounts of all the moneys?

MR. HUME: My object is, that there should be in that case a balance-sheet of the moneys received and expended, whether the parties were dead or alive.

MR. BERNAL said, his hon. Friend (Mr. Hume) perhaps had not considered the sea of difficulties he would have to encounter, though his intentions were good. If he attacked the city of London, he would find that a very strong body to deal with, and would meet obstacles at the very outset. Did he contemplate meddling with

the Rugby charity, or the grammar school at Bedford? He recommended his hon. Friend to leave legislating upon the subject, which would be better done by the comprehensive measure referred to by the right hon. Baronet.

MR. STAFFORD O'BRIEN agreed with the hon. Member who spoke last, that this measure might interfere with the comprehensive measure referred to by the Secretary of State, which, as he (Mr. O'Brien) understood, was in the contemplation of the Government. He protested against any great principle like this being determined by the House on the representation of merely a private Member. He did not consider that the Bill was so worded as that it could be safely allowed to make so great a change in the charities of this country. It was certainly true that those charities were liable to great abuses, that some had been abused; but he protested against the assumption of the principle that the House of Commons had a right to interfere with every charitable body. Every one that supported the Bill did so under the condition that changes would be made in it in Committee. He moved that the Bill be read a second time that day six months.

MR. B. ESCOTT said, the hon. Member for Northamptonshire was inconsistent in saying that this Bill should not be introduced by a private Member, and then that the House of Commons was not entitled to interfere with charities in the administration of which he admitted there were great abuses. The great bodies who were the trustees of those charities either considered themselves unaccountable, or acted as if they thought so, and applied the moneys to their own private purposes. He knew of charities that were so managed. When the House came to consider the great and comprehensive measure, let them come to the consideration of it with all the accounts before them. He tendered his thanks to the hon. Member for Montrose for having introduced this Bill; and he hoped the House of Commons, with the knowledge of the abuses before them, would read this Bill a second time.

MR. BUCK observed, that if such a measure as the present had been brought fairly before the House, he should have no objection to go into it; but he protested against questions of so much importance as the Bill involved being decided in so thin a House.

MR. SPOONER thought that the House ought to be clearly informed how far it was intended to go; they ought to be informed whether or not they were to have all the different foundations brought within the scope of the Bill; for example, were they to have King Edward's foundations comprehended within its operation? The House, he hoped, would bear in mind that all the larger charities were subject to the Court of Chancery. He would not say that the House did not possess the right to interfere, because Parliament could do anything; but he did think that a Bill of that importance ought to be introduced into the House of Commons upon the responsibility of the Queen's Government. He did not deny that every individual Member possessed a full right to bring forward a measure of that nature; but he confessed he thought that the House had a right to look to the Government upon occasions of this kind, and not leave measures of such magnitude in the hands of private Members. As, however, the matter was before the House, he should take the liberty of asking the hon Member for Montrose whether the Bill were intended to include all places of public worship; because there were many places of public worship in which the property was placed in trust, partly for the maintenance of the minister, and partly for charitable purposes. If the Bill included trusts of that description, he must be allowed to say that he considered it very late in the Session to bring forward such a measure. They could not hope that a measure of that importance could receive adequate discussion at such an advanced period of the year.

SIR DE L. EVANS could not help remarking that it might be all very well to say that the Court of Chancery possessed the authority necessary for taking cognizance of these matters; but it should be remembered that proceedings in the Court of Chancery were inordinately expensive. There was little use in telling a poor man that the courts of law were open to the poor as well as the rich; they certainly were open, but so was the London Tavern; both were open to any one who could pay for expenpensive luxuries. To him it appeared that the objections to the present Bill were by no means well founded—it was merely a Bill to enable the Government, the Legislature, and the country, to obtain clear and exact information upon subjects of great public importance. Every one acknowledged that great abuses were committed, and the Bill then before the House

was merely a preliminary step, the purport of which was to clear the way for a more comprehensive measure.

Mr. ESTCOURT said, that the hon. Member for Montrose had told the House that there were some charities to which it was intended that the Bill should not apply. Now, if that observation included some of the charities which were then present to his mind, he confessed that it took away no small portion of the objection which he felt towards the Bill. Nevertheless, the subject was one of so grave a character that he really thought the Government ought to take it into their own hands. The Bill as it now stood appeared to him to be very crude, and he did not think it was likely to be carried into effect. It demanded that there should be certain accounts annually produced; but at whose expense? There were many charities, the trustees of which administered large funds; but they had no funds wherewith to pay clerks. No doubt, Parliament had the power of insisting upon those accounts being furnished; but he put it to the House whether it was fair to call upon trustees to employ clerks at their own expense for the purpose of preparing those accounts? He did not deny that means might be found whereby that difficulty might be obviated, and in most cases he believed there would be no objection to the publication of accounts. But he could not help observing that the measure was one of much importance; that the Bill ought not only to be printed, but very extensively circulated, before Parliament finally decided on its merits, and he feared that that could not be done at this advanced period of the Session. For these reasons he thought that the hon. Member for Montrose would do well to withdraw the Bill for the present, and introduce it in a modified form at the commencement of the next Session.

Sir J. GRAHAM said, he wished to state briefly to the House what took place between himself and the hon. Member for Montrose on the subject of the Bill then before them. But previously he wished to observe, that if his mind had now for the first time been brought to bear upon the question at present submitted to the consideration of the House, he should have hesitated before he gave his consent to the second reading of the measure which had been introduced by the hon. Member for Montrose, So far, however, from his being unacquainted with its provisions, the hon. Mover of the Bill had communicated them to him before he obtained leave to bring it in, and, after all, it was only a small portion of a measure which Lord Lyndhurst, then Lord Chancellor, had laid upon the Table of the other House of Parliament. His noble and learned Friend, as the first law adviser of the Crown, did on the part of the late Government bring into the House of Lords a Bill which included all, he believed, that the hon. Member for Montrose proposed to effect by the present measure, although it comprehended a great deal more, and it would, if it had become law, have effected, as he thought, an extensive and salutary change. The Bill introduced by Lord Lyndhurst required that trustees should furnish annual accounts; but it made certain exceptions, and he thought that similar exceptions ought to be contained in any Bill introduced upon the subject. That Bill unhappily, as he thought, was defeated in the other House of Parliament; and thereupon the hon. Member for Montrose inquired of him (Sir J. Graham) if he would consent to a single enactment requiring trustees of charities to present to Parliament a statement annually of their accounts. He told the hon. Member that which he then repeated—namely, that he very much regretted the loss of the larger measure, adding, at the same time, that a single enactment requiring the annual production of accounts would, in his opinion, prove a salutary check upon the conduct of trustees in the administration of charities. The hon. Member for Northamptonshire told them that the passing of such a Bill as the proposed measure, would be an arbitrary assumption of power on the part of the House of Commons. Now, he was quite of a different opinion: if the measure were agreed to, it would not be any assumption of authority by the House of Commons: the proposition could only be made binding by its becoming an Act of Parliament, and then the authority of proceeding in such matters would be vested in a responsible servant of the Crown. It would be monstrous to suppose that the House of Commons could entertain such a project as that of taking upon itself such a power. If it were found that the trustees of certain charities had proceeded in a manner the effect of which was to defraud those whom the donors intended should have the benefit of those charities, then surely it would not be an undue assumption of power if a statute were enacted compelling the annual preparation and publication of ac-

counts, setting forth the funds which the trustees received, and the mode of their application. Such was the object of the measure then before the House, and so far, at least, it must be admitted that the Bill was not too comprehensive. The hon. Member for Montrose appeared to him to be right in the principle of the measure; there was one part of it, however, which perhaps might be thought somewhat too wide in its operation—the Bill provided that all persons in whom property was vested for charitable purposes, or who held property appropriated to charitable uses, should be compelled to produce their accounts annually. That appeared to him to be an extensive enactment. It was very wide. It might extend to various trusts which the author never intended; it might comprehend Dissenting places of worship, and he believed that almost all Dissenting places of worship were held upon terms that this Bill would reach. He doubted if any one connected with charitable trusts could, under the Bill, avoid making annual returns, and that he believed was not the intention of the hon. Member for Montrose; however, when they went into Committee, the phraseology of the Bill might be deliberately considered. Of this, he entertained no doubt, that the general rule of accountability ought to be enforced. Great abuses were admitted to exist, and he knew no remedy for these abuses so efficient, so clear, so obvious, as that which accountability presented. If they wanted analogy or proof, they might find both in the case of the turnpike trusts. With respect to those, an enactment similar to this had been passed. Each turnpike trust was compelled to render its accounts, and a more salutary enactment could scarcely have been devised. Debts, jobbing, and abuses prevailed. The debts of those trusts were now 8,000,000*l.*; and if the Bill to which he referred had been passed twenty years earlier, not one half the debts of those trusts would now exist. Even if no more were done than to enact the one provision now proposed, it would have the effect of bringing public opinion to bear upon the subject—if no more than that one measure were enacted, one-half the objects contemplated by the larger Bill would be accomplished. He was quite aware that considerable exceptions ought to be introduced; but he should object to admitting among those exceptions charities connected with the corporation of London. Lord Lyndhurst, in another place, showed that they would not bear public investigation. They were such as if an annual revision took place, the practices which prevailed in their administration would not be suffered any longer to exist. Upon these grounds, he should not hesitate to vote for the second reading of the Bill; for the late Government, in introducing the larger measure, certainly recognised the principle of the enactment proposed by the hon. Member for Montrose. Although he contended for some exceptions, he warned the House that they ought not to be too large. If they proceeded carefully, he did not doubt that considerable advantage to the public must accrue; and, therefore, he was willing to vote for the second reading.

MR. NEWDEGATE: The right hon. Baronet (Sir J. Graham) expressed it as his opinion that there was, with certain exceptions, a necessity for the present measure; but any man who gave his attention to the charitable trusts of the country, must at once see that the exceptions which would be absolutely necessary would form such a catalogue as could not be comprehended in a small bit of paper. The right hon. Baronet (Sir J. Graham) also stated that the great question was accountability, and to secure that an enactment was necessary; while the right hon. Baronet the Secretary for the Home Department, said that the principle involved was such as to require a great and comprehensive measure: surely mere accountability did not deserve so large a term as that. He thought the House would do well to seek information before it proceeded further; but it had rarely sought information on the subject. If information were required and asked for, it would, in his opinion, be afforded without any legislative enactment. From the consideration he had given the subject before them, he felt it his duty to oppose the Bill.

MR. TATTON EGERTON said, he did not object to the principle of accountability; but he certainly did object to the Bill on account of the form in which that accountability was demanded. He wished to know whether the measure would apply to the charitable trusts of the Wesleyans and the Unitarians, and all the other Dissenters, including the great Catholic schools at Oscot and Stonyhurst?

MR. HUME explained, that the subject had for many years been under the consideration of the House; and if they visited the library of the House, they would find numbers of volumes having reference to

the subject, and detailing the abuses that existed. He had not brought in the Bill without mature consideration; and his only object in doing so was to have the moneys belonging to such charities expended according to the wishes of the donors. Nineteen years ago, he proposed a Motion, calling on the trustees of turnpike roads to render an annual account of their expenditure, and he thought he should have been eaten up in consequence; but when the returns were made, and those trusts were placed under better supervision, hon. Members who then opposed him admitted the advantage of the Motion; and if it had been carried out to a greater extent, the debts of those trusts would have been reduced very considerably. He should persist in pressing the second reading; and if it could be shown that any parts of the Bill were extremely objectionable, he should feel happy to amend them. As to Dissenting chapels they were not included. That the House should have some account of charitable trusts, was a matter so clear as to admit of no objection.

Lord G. SOMERSET would vote for the second reading of the Bill, though he thought great alterations must be made in it. He thought some investigation might conduce to the public benefit, but he protested against being precluded by his present vote from opposing the Bill if it should not be amended, so as to omit all the great religious and ecclesiastical bodies connected with the Church, the universities, or the Dissenters, whether Wesleyans, Roman Catholics, or Independents.

The House divided on the Question, that the word "now" stand part of the Question:—Ayes 42; Noes 12: Majority 30.

List of the Ayes.

Aglionby, H. A.	Graham, rt. hon. Sir J.
Ainsworth, P.	Greene, T.
Arkwright, G.	Grey, rt. hon. Sir G.
Berkeley, hon. C.	Hastie, A.
Bernal, R.	Hatton, Capt. V.
Blackburne, J. I.	Hill, Lord M.
Bowes, J.	Hindley, C.
Bowring, Dr.	Howard, P. H.
Bridgeman, H.	Jermyn, Earl
Brotherton, J.	Jervis, J.
Byng, rt. hon. G. S.	Layard, Capt.
Clay, Sir W.	Lemon, Sir C.
Clerk, rt. hon. Sir G.	Ogle, S. C. H.
Collett, J.	Parker, J.
Dickinson, F. H.	Philips, G. R.
Duncan, G.	Scrope, G. P.
Ebrington, Visct.	Somerset, Lord G.
Escott, B.	Thornely, T.
Gibson, rt. hon. T. M.	Tufnell, H.
Vane, Lord H.	
Wood, Col. T.	TELLERS.
Wyse, T.	Hume, J.
Yorke, H. R.	Evans, Sir D. L.

List of the Noes.

Allix, J. P.	Hussey, T.
Baldwin, B.	Lygon, hon. Gen.
Buck, L. W.	Mundy, E. M.
Egerton, Sir P.	Spooner, R.
Estcourt, T. G. B.	
Frewen, C. H.	TELLERS.
Fuller, A. E.	O'Brien, S.
Halsey, T. P.	Newdegate, C. N.

BOOKS AND ENGRAVINGS.

Sir G. CLERK moved the Committee on the Books and Engravings Act, to enable him to introduce a Bill to carry out the convention with Prussia.

House in Committee. Convention presented June 22, referred to.

Mr. HUME complained of the heavy duty on printed books coming from India. It was so heavy as almost to preclude the receipt of the most valuable information from that invaluable country. Now that the Colonies were being brought so close to the mother country, it was necessary that every facility should be given to the people of this country to get such accurate information as could only be obtained from the Colonies themselves at as cheap a rate as possible.

Mr. PARKER said, it would hardly be fair to clog the Bill of the right hon. Baronet with that question. It was one of much importance, and it would receive the early attention of Her Majesty's servants.

The following Resolution—

"That it is expedient to make provision for reducing the Duties of Customs on the importation into the United Kingdom of Books and Engravings, in conformity with Treaties with Foreign Powers"—

was agreed to.

House resumed.

Resolution to be reported.

House adjourned at half-past two o'Clock.

HOUSE OF LORDS,

Thursday, July 16, 1846.

Minutes.] Public Bills.—1ª. Battersea Park.

Reported. Spitalfields New Street.

3ª. and passed. Corresponding Societies and Lecture Rooms.

Received the Royal Assent. Election Notices (Ireland).

Petitions Presented. From Oxford, and several other places, against the Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—From Minister and Members of the Remonstrant Presbyterian Congregation of Moria, County Down, for

Abolition of Capital Punishments.—From Guardians of the Caistor Union, for the Adoption of a Measure making the Landlords of Tenements where the Rents are under £6 liable to the Poor Rates.

THE PROTEST AGAINST THE CORN IMPORTATION BILL.

The EARL of RADNOR wished to call the attention of their Lordships to a question which he conceived to be of some importance. He alluded to the Protest of certain noble Lords against the third reading of the Corn Importation Bill. That protest was signed by ninety-three Peers; now, he (the Earl of Radnor) always understood that those Peers only who were present at the time of putting the question could enter their Protest; and that was a salutary rule. He (the Earl of Radnor) was present when the question was put, and he denied that more than one third of the Peers who had signed the Protest were present. It appeared, on an examination of the Journals of the House, that ten or twelve Peers had put their names to the Protest against the third reading of the Corn Importation Bill, who were not in the House during any part of the discussion of that measure. He (the Earl of Radnor) was not desirous that any Peer who wished to have his name handed down to posterity as professing the opinions expressed in that Protest, should be deprived of that honour; but he thought that, under the circumstances he had stated, it was a matter for their Lordships' consideration, and he would leave the House to deal with it as it thought proper. He found, on comparing the number of Peers in attendance on the discussion of the Bill, with the number of names affixed to the Protest, that the names of ten or twelve Peers who were not present at the time were appended to that Protest. Now, if their Lordships overlooked the first objection, he hardly thought they would overlook the second, because the inference would be that any Peer at any time, whether he took part in the discussion or not, might come down and protest against it, even although his arguments and reasons had been refuted in the course of the debate.

LORD BROUGHAM conceived that his noble Friend had done a great service by calling their Lordships' attention to this irregularity, which he had no doubt was unintentional, and arose from those noble Lords not having attended to the rule of the House. The rule was, undoubtedly, that no person in that Parliament who was not present could protest. It was not so in the Irish Parliament; for in the Irish Parliament they could vote by proxy and protest by proxy.

ANNUITIES TO VISCOUNT HARDINGE AND LORD GOUGH.

The MARQUESS of LANSDOWNE moved the Order of the Day for bringing up the Report on the Annuity Bill for Viscount Hardinge and Lord Gough. He thought it his duty to call their Lordships' attention to the report, with the view of inducing their Lordships to restore these Bills to the form in which they were originally framed when they were introduced into that House. In doing so, he could not sufficiently express his regret that it should be his misfortune, on the first occasion he had to address their Lordships from that place, to do so for the purpose of inducing their Lordships to adopt a course of proceeding which in appearance, however unjustly — but in appearance — might (after he himself had recently pronounced in the strongest terms the sense of gratitude which he felt to be due to Viscount Hardinge and Lord Gough for their eminent services) be held to place a lower value on the great services of those distinguished individuals — not than Her Majesty's late Government did; for he was only about to propose to restore the Bill to the form in which they introduced it — not than the other House of Parliament did; for that was the form adopted by the other House of Parliament, and it was sent up in that state to their Lordships—but a lower value in appearance than that which was placed upon them by a great number of their Lordships in that House, including a number of noble Friends of his, who, when this Bill was in Committee before their Lordships, had induced their Lordships to adopt an Amendment, which was the immediate subject for their Lordships' consideration on this occasion. Whatever might be the sense which he entertained of those services, he felt that their Lordships had a duty to perform towards the public. He felt also that their Lordships had a policy to adhere to with reference to the other House of Parliament; and both on the principles of duty and of policy, he was bound to recommend their Lordships to restore to the report the words which were omitted. In doing so, he begged to recall their Lordships' attention to the grounds upon which the provision intended to be made by this Bill was proposed; and in stating that to be the

ground, he was only stating that which he himself long before this question arose before their Lordships in this particular case, had stated to be his opinion, as the ground on which a provision of this nature was made, namely, the distinct ground that it was not made as a pecuniary recompense, or made to mete or dole out a particular amount of money for the services rendered; but that it arose out of the knowledge that Her Majesty had been pleased to confer certain dignities on eminent individuals who might derive certain pecuniary rewards from professional emoluments; but when placed in that House it was the duty of that House, as it was the duty of the other House of Parliament, to place them in a situation corresponding with the dignity which, with the approbation of the Legislature of the country, it had pleased the Sovereign to confer upon them. He was proud to state, looking to the substance of this Bill—the particular wording of it he was not bound to explain—but, looking to the substance of this Bill, he was proud to say that it did confer that amount of provision on those distinguished persons as it was originally introduced to their Lordships, as from the general sense entertained upon this subject, and from Parliamentary precedents presenting the most distinguished examples, was adequate to enable them to maintain a rank so high as that which had been conferred upon them. In various cases to which he had referred upon this subject, it appeared that a provision inferior to that which was proposed by this Bill, had been awarded by Parliament. In the case, to which he was compelled to allude, of a noble Duke a Member of that House, when he was created a Viscount for the distinguished services rendered by him in Spain, at the battle of Talavera, and during his subsequent services in that campaign, it was thought expedient by Parliament to vote to him a pension or annuity of 2,000*l.* a year. When, subsequently, for additional services two or three years afterwards, he was in the progress of his glorious career created an Earl, an additional 2,000*l.* was voted to him, making both together less than the sum voted by the present Bill, as originally introduced, as an annuity for Viscount Hardinge. There were other examples which he might quote; but he did not think it necessary to proceed beyond that, as it was the most remarkable to which he could allude; but he would say generally that upon no occasion, however remarkable —for no services, however splendid, had a provision been annexed to the dignity of the Peerage, whether conferred in the first instance, or consisting of promotion in the Peerage, larger in amount than the sum which was by this Bill, as first introduced, awarded to Viscount Hardinge; and a provision to the amount of 3,000*l.* a year was provided by the same Bill for Lord Gough. He confessed he was under the impression if this Bill had been introduced, providing that this amount of—he would not call it remuneration — but that this amount of provision should be granted to enable these noble individuals to maintain the dignity of the Peerage; neither in that or the other House of Parliament anything like an objection would have been stated, either as to the deficiency of the amount, or to the mode in which it was brought before Parliament. But it was owing to the circumstances that in the provision now proposed, the name of the East India Company had been introduced, because the provisions made in the Bill were made in a certain degree conditional on the continuance of annuities granted by the East India Company, the objection was raised; and certain noble Lords thought they ought to have left entirely out of their consideration the provision made by the East India Company. But he (the Marquess of Lansdowne) must say he thought that feeling had arisen from a total misapprehension of what the East India Company was; for the East India Company, acting in that way and in that capacity, could be viewed only as part of the State. The dominions of Her Majesty in the East were, in fact, governed by a double sovereignty, but composing only one sovereignty altogether—the East India Company only acted under the Sovereign of this country. It acted under the authority of the Sovereign of this country, and was not permitted to act except under that authority; and when they considered the amount of this provision, they could not consider it otherwise than as made by the sovereign authority of this country, composed of that Sovereign, who had a reversionary interest in the government of India, and the East India Company, which had the temporary government of the country. And how could the simple fact of the power of the Sovereign of this country having been delegated to any person, form any ground of difference in any provision to be annexed to any dignity for services performed in that country? An annuity had been given

to Sir John Colborne (Lord Seaton) for services performed in Canada: now, suppose the country had been placed under the government of the North West Company for ten, twenty, or thirty years, did any person think that therefore the North West Company had also a right to provide for him; and could it be said that the amount of compensation should be double, to enable Sir John Colborne to maintain his dignity in that House? The view which he had submitted to the House had been the view constantly taken by Parliament on the subject; and whenever the East India Company, acting by the permission—and it could only act by the permission —of the Crown, and when authorized by the Board of Control, acting for the Crown, had been empowered to grant pensions or rewards, that House had constantly considered those rewards as making part of the rewards of the State; and almost in every instance where the East India Company had made a provision, the Parliament had made no provision at all. He had reports of numerous instances of that kind, including the distinguished name of the Marquess of Cornwallis, of whom he could speak with the most unfeigned respect, having known him early in life, and the late Lord Wellesley. Parliament had undoubtedly recognised the services of those eminent men; but though they felt they were entitled to the gratitude of the Legislature, they forbore to vote one shilling to those individuals, because the Company, which represented the Sovereign, had voted large sums of money for that purpose. The only way in which this Bill differed from other Bills was, that in addition to the provision made by the East India Company for Lords Hardinge and Gough, to the extent of 5,000*l.* in one case, and 2,000*l.* in the other case, it provided that if the East India Company should cease to exist, and the authority of Parliament should supervene, the 5,000*l.* and 2,000*l.* a year shall accrue due under the circumstances in the Bill stated. What distinguished this case was, that not only a large provision was made by the East India Company, but Parliament protected the parties intended to be benefited and to be supported in that dignity against any contingent disadvantage that might arise to them from having received that provision from a temporary body, the existence of which could not be guaranteed beyond a certain period. He thought the provision he had stated, as introduced by Her Majesty's late Government, was ample enough for the purpose intended; but even if any noble Lord in that House entertained a different opinion, and thought that a larger sum should be given for the support of a particular dignity than had been given at any former period, he submitted to their Lordships to consider the policy and discretion of entering upon the subject and engaging in a controversy with the other House of Parliament, which had at all times claimed the peculiar right of voting the public money. That House would, certainly on this occasion, as far as could be anticipated, and as far as he was enabled to state what he knew to be the opinion of leading individuals at both sides of the House, not adopt this amended Bill if it were sent down by their Lordships, but would either do that which their Lordships would most of all deprecate, namely, pass no Bill at all, or send up another Bill containing the provision which their Lordships had omitted. He did say that of all points on which it was the least expedient for that House to enter into a difference of opinion, not only with Her Majesty's late Government, but with the present Government and the other House of Parliament, both concurring in opinion on this subject, it was the case of a vote of money to be raised upon the people of the country. If they sent down that Bill containing this Amendment, or rather with this clause omitted, they would, in fact, be sending down a money plan, proposed by them to be adopted by the other House. The consequences would be, that it would end not only in the rejection of the proposition, but lead to an increase of jealousy on the part of the other House in reference to such questions. The assertion of peculiar privileges by the other House had sometimes been carried so far as almost to deprive their Lordships of a voice in the settlement of great questions of policy; yet he never had any doubt as to the propriety of the privilege which reserved to the representatives of the people the power of determining to what amount the public should be taxed, and to what amount those taxes should be appropriated for specific purposes. Before he sat down, he had a task to perform, which was a duty far more pleasing to him than to have submitted any of the arguments he had ventured to lay before their Lordships to induce them to reject the Amendment. On that day, before he came down to the House, he had received a letter from a dis-

tinguished lady—no less distinguished by being connected by marriage with the eminent person who was the subject of this communication (Viscount Hardinge), than by her own descent from a great family. He had received a letter from that lady—Lady Emily Hardinge, now Viscountess Hardinge, saying she thought it right to communicate to him (the Marquess of Lansdowne), and to authorize him to repeat that communication where he pleased, that she and the family of Viscount Hardinge, having considered the state of this case, felt a deep anxiety that upon this subject there should be no difference of opinion, and, above all, they were anxious that a difference of opinion should not arise upon pecuniary grounds; and they desired distinctly to state, as representing Lord Hardinge, that they felt confident that would be his feeling; and on his behalf they declared they were perfectly satisfied with the amount of the provision made, and with the manner in which the provision was made by the Bill introduced into that House. Their Lordships would recollect that this communication proceeded from a lady, who was the grand-daughter of the first Lord Camden, the most constitutional lawyer that this country ever produced, and who, for his services to the public and to the Constitution, at a time when Lord Chancellors were not provided for on their retirement as at present, received in acknowledgment for his great services a large reward from the Crown, consisting of a per centage on the Exchequer; and they should recollect that the same lady was also the niece of the second Lord Camden, who had the magnanimity —(when it was found that that reward in its proportions far exceeded the amount which had been contemplated at the time it had been conferred)—had the magnanimity to relinquish all or the greater part of that reward, and to repay it into the public Exchequer. He said, when they recollected these circumstances, they could not be surprised that that lady, so connected and descended, should have made a communication which did her so great honour, and was of so disinterested a character. He felt it his duty to ask their Lordships to rescind their former vote. He should be the last to impugn the honourable and generous motives which induced their Lordships to adopt that vote; but he trusted their Lordships would concur with him in the course he proposed, so that the measure should be adopted by the Legislature with the unanimous concurrence of the Crown, of the other House of Parliament, of their Lordships, and with the assent of the whole community.

The DUKE of RICHMOND declared that in opposing the Motion, he had not the slightest intention of throwing any difficulty in the way of the noble Marquess and his Colleagues: his opinion remained as it had been six weeks ago, and he did not intend to alter his vote on the subject. The noble Marquess stated that Lady Hardinge had written to him, hoping the question would not come before the House. If he (the Duke of Richmond) had proposed this clause (No. 3) from any desire to give any private individual a larger annuity, or to assist Lord or Lady Hardinge, then indeed he might have withdrawn it in consequence of that letter. But he took it as a matter of public principle. He believed there was no man without or within the walls of Parliament who would not admit that the country owed a deep debt of gratitude to its armies. Their troops underwent greater privations than any in the world; they were longer absent from their native land; they were quartered in very bad barracks; they had always distinguished themselves by their good discipline, bravery, and perseverance, when the enemies of their country were brought before them. He regarded this annuity as a reward to the army; and he would ask their Lordships if there were many prizes in the lottery of a soldier's life? When the subject was discussed in another place, it was said such rewards should not be given to soldiers, because, forsooth, civilians did not get so much. He could not place in the same scale the services of persons residing in Downing-street, and of those who, by their firmness when commanding abroad, maintained the honour and the interests of their country. Had Lords Gough and Hardinge failed, the British Empire in India would have been shaken to its centre. Then the noble Marquess stated that these grants were for maintaining the dignity conferred by the Crown. The preamble of the Bill contradicted that statement; and the very provision which was made proved that it was a reward for military service. The noble Marquess had referred to the grants which were given when the noble and gallant Duke (the Duke of Wellington) was made a Viscount and an Earl. But was any deduction made from the noble Duke's grants when he received grants from other and Foreign Powers? If the grants to the noble Duke had been quadrupled, the debt

of gratitude which his country owed him would not be paid. Yet it would have been paltry economy to take into account the grants from other quarters. Lords Hardinge and Gough had done their duty well; and now, because the East India Company agreed with Parliament that they had done their duty well, Parliament was to make a paltry saving, by suspending the annuities it proposed to grant, so long as those bestowed by the East India Company were received. He, for one, was glad to find that the soldiers and officers in India were to receive medals; but, at the same time, he could not but express his deep regret that the veterans in the late war should have been, by comparison, degraded—no, not degraded, for that they could not be—but neglected, in having similar honours withheld from them. A memorial, signed by many of them, and sent to the Government recently, had not received the slightest notice—it had not even been acknowledged. On this subject, however, he would not say more on the present occasion. He was very sorry that the late Government should have acted as they had upon the question now under consideration; and it caused him still greater sorrow to find that the present Government should have adopted the same course as their predecessors. And of all men in the world he was the most surprised to find that course advocated and defended by the noble Marquess opposite (the Marquess of Lansdowne), who, when he (the Duke of Richmond) divided their Lordships, six weeks ago, on this question, being unable to make up his mind one way or the other, walked behind the woolsack, and did not vote at all. His noble Friend the Postmaster General voted with him and supported him on the last occasion: and it was to be hoped that though six entire weeks had since elapsed he would see the propriety of pursuing the same course this evening. He likewise ventured to express a hope that his noble Friend the First Lord of the Admiralty would also vote on the present occasion as he had on the former; and nothing could afford him greater pleasure than to see his noble and learned Friend the Chancellor of the Duchy of Lancaster also voting with him, instead of walking behind the woolsack. No dangerous precedent would be established by pursuing a manly and generous course of conduct in respect to this question. It should not be forgotten that the victories which Lords Hardinge and Gough had achieved closed a great campaign, and brought a formidable warfare to a successful issue. Their achievements were not limited to one general action in the course of a series of hostilities. No, the last battle in which they were engaged with such credit to themselves, and so much glory to their country, was, so to speak, a Waterloo struggle; for it finally asserted the supremacy of our arms, and brought to a glorious consummation a vexatious and harassing warfare, which at one time wore so dangerous an aspect that it was thought that all the energies of this country would be severely taxed to retain our empire and authority in India. If their Lordships should be of opinion that the sums proposed to be granted were too large, they ought to return their money to the East India Company. If their Lordships were to support the proposition of the noble Marquess opposite, the consequences would be indeed most injurious. The East India Company had granted pensions to Lords Gough and Hardinge because they had rendered services which eminently deserved their gratitude; but never again would they come forward to grant similar rewards on future similar occasions, if they were to find that in conferring marks of favour on men whom they esteemed and respected, they in point of fact were not doing any service to those individuals, but were merely saving the Exchequer of this country. Most fervently did he hope that their Lordships would not act a part open to so serious an objection. He trusted that they would not consent to take this present from the East India Company, but that they would grant the sums proposed; and if they did so, the well-known liberality of the Company might, perhaps, justify the expectation that the sums which they had originally intended to bestow on Lords Hardinge and Gough, they (the Company) would now confer on the widows and orphans of the soldiers and officers who fell in India, many of whom, he grieved to say, were in a state of great poverty, occasioned by their having lost their natural protectors—those to whom they had been in the habit of looking up for sustenance and support. By voting these sums out of the Consolidated Fund, and by telling the East India Company that their Lordships would not permit them to bestow these sums on Lord Hardinge and Lord Gough, they would in all probability be enabling the Company to give the money to those who wanted it quite as much. Finally, he hoped that their Lordships

would act on this subject in a manner worthy of their own character and position, by doing an act of justice to Lord Hardinge and Lord Gough, not so much in consideration of their individual merits, great though they were, as for the sake of the profession to which they belonged, and of which they were on all hands admitted to be such distinguished ornaments.

The EARL of RIPON said, he was anxious to say a few words explanatory of the grounds on which he was resolved to adhere to the opinion which he had expressed on this subject when it was last under their Lordships' consideration—an opinion which was in strict accordance with that which had just been enunciated by his noble Friend the President of the Council. If he thought that in taking the course which he had adopted in the original framing of this Bill, and the course which he was now prepared to adopt (the effect of which would be to limit the amount of the grant proposed to be given to Lords Hardinge and Gough), he had been guilty of any act of injustice to those distinguished men, or to the army of which they were admitted by all to be such illustrious ornaments, he would be ashamed to stand up in that House and advocate his opinions in the presence of their Lordships; but he did not believe that any injustice would be inflicted, and the course which he was taking was one which he found himself impelled to by a sense of public duty. In cases of this description it was not a very easy matter to decide the precise amount which ought to be granted by Parliament, either by way of pecuniary reward for great services rendered, or for the purpose of maintaining the honour and dignity of the Peerage; but he begged of their Lordships not to lose sight of this important fact, that the effect of the proposition which the noble Duke (the Duke of Richmond) had on a former occasion succeeded in inducing them to adopt, would be to give to Lord Hardinge a much larger sum than had ever been given on any former occasion in circumstances at all analogous. In the case of the noble Duke on the cross benches, indeed, a sum exceeding 8,000*l.* had been granted; but on no other occasion had anything like so large a sum been conferred. In the case of Lord Nelson the sum granted was 5,000*l.*, and in that of Lord St. Vincent 3,000*l.* These distinguished men received a Peerage at the end of the war in 1815, and at the recommendation of the Crown annuities were conferred on them, not for their own lives, but for the benefit of their descendants, and in these cases the utmost given was 2,000*l.* a year. It was their Lordships' duty to consider how far it was consistent with prudence, sound judgment, and a judicious policy to propose a deviation from the general rule, either for diminution or increase, in a case like the present. No doubt it was a painful duty to exercise, when it was remembered that the feelings of gratitude and admiration of the other House of Parliament were so strong, that they would go to the utmost limit of generosity; but those who were Members of a Government were responsible for the sum that was proposed, and they were bound to take into consideration matters which very probably would not strike so forcibly other persons not similarly circumstanced. Now, the House must be aware that there was no precedent whatever of any grant to a person in his capacity of Governor General of India. The excellent services of Lord Hardinge, long before he assumed that high and arduous office, were well known and deservedly esteemed; but nevertheless they had not fallen within the limits which Parliament prescribed to itself in awarding pensions, and consequently he did not receive one. As Governor General he was the servant of the East India Company, though it was quite true that he could not have become such without the consent of the Crown. The Company had over and over again, and in instances almost too tedious to enumerate, conferred on their Governors—as well Governors General as Governors of Presidencies—pecuniary rewards in cases in which Parliament had given no reward whatever. In the case of Lord Macartney, that distinguished individual obtained from the East India Company 1,500*l.* a year for life, and a Peerage from the Crown, but no pension from Parliament. So, too, in the case of Lord Cornwallis, Lord Cornwallis got 5,000*l.* a year from the Company, but not one farthing from the Crown. Lord Hobart obtained 1,500*l.* a year from the Company when he came home from the Government of Madras, but nothing from the Crown. The Marquess of Wellesley also was allowed 5,000*l.* a year from the Company, but received nothing from the Crown. On the death of the first Lord Cornwallis the East India Company gave to his son an additional sum of 40,000*l.*, under the supposition that such a gift was necessary for him in order to maintain

worthily the dignity he held; but neither to father nor to son did the Crown give anything. Lord Hastings received 60,000*l.* from the Company, but nothing from the Crown, though he had been advanced a step in the Peerage in consideration of his distinguished services. The son of Lord Hastings received on the death of his father 20,000*l.* from the Company, but nothing from the Crown. The Marquess Wellesley, in the year 1837, was voted by the Company an additional sum of 20,000*l.*, in consideration of his unexampled services; but it was the exclusive act of the Company. All these sums were given by the Company to mark their high sense of the services rendered by these distinguished individuals as Governors General. But then the circumstances under which they were given, and the relation in which the British Government stood to the East India Company, ought not to be lost sight of. As long as the East India Company was a mere commercial body, in the enjoyment of a great monopoly, it might be said with justice that these sums were advanced out of their own proper moneys; but as things now stood, these votes were taken from the revenue of the country, from the revenue of the State at large. Under the recent Acts of the Legislature the East India Company might be regarded as merely farming the revenue of India under certain restrictions: they administered the Government there in a particular form and mode required by an Act of Parliament; but when that Act expired, as it would in eight or ten years, the Company, unless it were renewed, would possess no control whatever over that revenue. Yet, as this grant was a permanent one, it would in fact be continued afterwards out of revenues which would then have become the revenues of the State. Thus, to vote that money out of the revenues of the Company would be virtually to vote 8,000*l.* a year out of the revenues of the State. It would have been undoubtedly very generous and very satisfactory to have voted that sum to Lord Hardinge; but, at the same time, it would have been a much larger sum than was ever voted to a Governor General before, and the Government would, in all probability, have been severely taken to task for such a departure from precedent. The noble Duke (the Duke of Richmond) had predicted that one evil consequence would result from the adoption of the course recommended by the noble Marquess opposite (the Marquess of Lansdowne), namely, that the Company would not be disposed to treat their Governors in a generous and liberal manner on any future occasion. He confessed that for his part he did not participate in any such apprehension; and indeed he must say he thought that great injustice was done to the East India Company by the supposition that in a matter of this kind they could be influenced by motives so paltry and unworthy as those which were imputed to them. Besides, he considered the contingency altogether impossible, when he remembered the peculiar circumstances by which the present case was characterized. Their Lordships should bear in mind that the Court of Directors and the Court of Proprietors were all along fully cognizant of the course which Government were taking in this matter; but, notwithstanding, they voted 5,000*l.* to Lord Hardinge, and 3,000*l.* to Lord Gough, in both cases unanimously. From this fact he had a right to infer that the Company did not feel that Government, in the course they had pursued, had been actuated by any miserable motive of economy urging them to squander the funds of the Company, in order that a saving might be effected to the national Exchequer. Having regard to all the circumstances of the case, and bearing former precedents in mind, the Government had not thought it right to intercept the liberality of the Court of Directors; but they did think that it was their duty—a painful one, no doubt, but still their duty—to consider whether it was right or reasonable, or wise or judicious, to propose that a larger sum should be accorded to Lord Hardinge for the maintenance of his dignity than that which the East India Company had it in contemplation to confer, namely, 5,000*l.* The noble Lord again declared his warm concurrence in the course that had been pursued in respect to this question by the late and present Governments, and concluded by expressing a hope that their Lordships would perceive the propriety of adopting views similar to those propounded by the noble Marquess the President of the Council.

LORD BROUGHAM said, that he had attentively considered this subject within the last few weeks, and his first inclination, and that to which he still adhered, was, that the vote which was come to about three weeks since should be reconsidered, the more particularly as there appeared to be an impression that it was in some sense the result of accident or haste. He was

happy, therefore, to find that an opportunity for further discussion on it had arisen, for the question was one which he admitted demanded, and ought to receive, the maturest consideration. He had taken no part in the former discussion. He now approached the question, having had the benefit of the lights which had been thrown upon it both by the noble Marquess (the Marquess of Lansdowne) opposite and the noble Earl (Earl Ripon) who had just sat down; and in justice to the question, and in the spirit of perfect candour to these noble Lords he was bound to apprize their Lordships that his opinion was in favour of the vote which his noble Friend near him (the Duke of Richmond) was about to give, and against the Amendment which had been moved by the noble Marquess. The proposed pensions were given, or intended to be given, not for the mere purpose of maintaining the dignity of the Peerage, but as just rewards of great and illustrious services. It was thus they were to be viewed. From the days of the Duke of Marlborough to the time of the noble Duke on the cross benches (the Duke of Wellington)—who exceeded Marlborough in the glory of his feats of arms as surely as he was posterior to him in point of date (and in no other respect did he come after that great man)—from that age to the present all the generals who had contributed to the glory and power of England had received such grants from Parliament, without the slightest regard to what their personal property might be, or what the amount of their private means of supporting the dignity of the Peerage. In fact, this was a point which never had been taken into consideration in such matters, and never ought to enter into the question. The consequence of an opposite doctrine would be that when a Peerage was conferred on a distinguished military man, the first thing to be taken into consideration was whether or not he had a private fortune; and if it should turn out that he had some property at his command, that he was not without means, no pension at all was to be given. Lord Nelson received from the Sicilian Crown a grant of land. The title of Duke of Bronte which was conferred on him was accompanied by a grant of territorial possession, which to the present day yielded a revenue to his family; but this fact was never taken into consideration when a sum of money was given to him, and a pension of 4,000*l.* a year. He totally dissented from the description of the relation between the British Government and the East India Company with which the noble Earl (Earl Ripon) had favoured their Lordships, when he told them that the East India Company was a branch of the Government, and that it was the Government under another name and under another form which made the grants to Sir Henry Hardinge and Sir Hugh Gough. He totally denied this statement, and took an entirely different view of the case. It was quite true, as had been asserted, that the Company could not vote a sum without the consent of the Crown; but this did not constitute the money which they did vote Government money or the money of the State, merely because it was given with the Crown's consent. The resources of the Company did not belong to any particular corporator of the Company in his capacity of an individual corporator; but they belonged to the Company at large, in their aggregate capacity; and it was idle to say that it was not their money that was voted. It could not be called Government money or money of the State, for it did not come out of the Consolidated Fund, but rather out of the coffers, out of the separate revenue, of a section of their fellow subjects, to wit, the corporation known as the East India Company. The argument that Lord Hardinge was rewarded by the Company, not for his services in the field, but for his civil services as Governor General, appeared to him to cut in favour of his (Lord Brougham's) views of the question. Grant it that the Company rewarded him for the wisdom of his councils and the soundness of his policy—let their Lordships reward him for the splendid achievements on the Sutlej and in the Punjaub. It was hard to limit any amount of reward to be given to a military man under such circumstances, and the more so when he heard the question asked was not 5,000*l.* a year sufficient for Lord Hardinge? He could tell their Lordships that he had seen annuities of 2,000*l.* a year, and red ribbons, and Peerages, and all manner of distinctions, given to men whose services, when they came to be considered and analysed by after ages (if indeed their names would ever pierce to after ages), were so insignificant, that they would cause men to hold up their hands in amazement that so little as was now proposed as rewards for the real services and important victories in question should have been given, while so much had been given in requital for actions which, when compared with the actions of Lord Hardinge and Lord Gough, sank into ab-

solute nothing. If he wanted any additional reason for giving an ample—most ample—remuneration to Sir Henry Hardinge and Sir Hugh Gough, he found it in the contrasts rather than in the comparisons which he was unwillingly, indeed very reluctantly, compelled to institute. And now one word on the constitutional question. He agreed entirely with his noble Friend the President of the Council, that they ought to leave undisputed, and above all, uninterfered with, on their part, the peculiar privileges of the representatives of the people. It was their privilege to originate Money Bills. They (the House of Lords) never dreamt of doing so. But it was equally their privilege and their right, when Money Bills come to them from the other House, to consider free and unfettered what reception they should give to those Bills. They (the Lords) could not alter this Bill, he was told, because, if it went back to the Commons, altered in any respect, it would be sure to be flung out. When he said that they (the Lords) ought prudently, circumspectly, abstinently, to respect the privileges of the Commons, what right had he to believe that the Commons would be wanting in similar prudence, similar circumspection, similar abstinence towards the undoubted privileges of the Lords? Had they any reason to believe that the Commons, because they (the Lords) differed with them on one part of the Bill, would therefore reject the Bill altogether, because of their Amendment? But, even if they (the Commons) were to do so, they had only, according to the strictest letter of their privileges, to bring in another Bill in accordance with that Amendment? If he were told they would not do so, his answer was an obvious one—though one most painful to give; for it was assuming that the House of Commons, while admitting, as they must admit, the full right of the Upper House to discuss every Bill that was sent to them, would, the moment they (the Lords) differed with them on any one particular, allow the Bill to drop. What was this but saying that the Lords had no right to be consulted? It would be much better to say at once that the Lords had no privileges whatever—that they had no right whatever—that they had no authority whatever, even to touch a Money Bill — that the Commons alone had the power to discuss such Bills—and that the Lords, forsooth, were only to be allowed the office of registering the edicts of the Commons. He (Lord Brougham) wished he could abstain from addressing their Lordships in reference to that most affecting passage in the noble Lord's eloquent speech, in which he told them of the disinterested, the highly generous conduct, of a noble lady to whose letter he referred. He could not account for the difference in men's feelings and views on such subjects; but he confessed that the effect of that letter was to operate upon his feelings in the very opposite direction to that in which it seemed to have operated on the feelings of his noble Friend, for he (Lord Brougham) would say, "the more generous you prove, the more just we shall be to you; the more your liberality and disinterestedness shows itself, the more largely you shall share our bounty;" but he did not reckon this a bounty, he regarded it as a mere debt of justice. He could, with his noble Friend—although he might not so well express it as he had done—but he could well believe that such generosity had been shown by the grand-daughter of Lord Camden, and by the niece of the late Marquess, whose generosity to this country—for it was no justice—it was hardly justice to his family—whose splendid munificence to this country was remembered by the thousands and tens of thousands which he gave up to the public, when they were as much a part and parcel of his own private funds as the rent of his farms or the cash at his banker's. That noble person had descended to the grave with, he had always thought, very inadequate marks of the gratitude of this country; for his was an act of generosity to which, if they ransacked history from the earliest ages to the present day, they would find nothing like a parallel. Grateful as he was to that noble Lord, therefore, and honouring as he ever must do his memory, he could well imagine that the same generosity which guided that act of his life had descended in the collateral branch of the family, and adorned the noble lady to whose letter his noble Friend had made reference. But he must say, that towards the individual, and towards the illustrious house to which she belonged, that letter had produced an effect diametrically opposed to that which would lead him to avail himself of the high-minded scruples which it so delicately expressed.

The DUKE of WELLINGTON, who spoke from the cross benches: My Lords, although the Administration which introduced this measure into Parliament no longer sits in Her Majesty's Councils, yet,

as I had a seat in Her Majesty's Councils at the time of its introduction, and concurred in the measure, I beg to submit to your Lordships a few considerations on the subject. I beg your Lordships to recollect that this is a Money Bill, sent up here from the House of Commons, founded, as all grants of money must be, by the Standing Orders of the House of Commons, upon a Message from the Crown. I beg my noble and learned Friend who spoke last to observe the exactness of the words of the Message, and of the preamble of the Bill. Her Majesty states Her desire in that Message to make provision for my Lord Hardinge, whom She had created a Peer, in reward of his great services. These very words are introduced into the preamble of the Bill; it comes, therefore, to the same thing; it is a provision made by Parliament for the maintenance of this dignity, conferred upon an officer in requital of his services by Her Majesty. It is thus treated by Her Majesty in Her Message, and the same words are inserted in the preamble of the Bill. Then, my Lords, the House of Commons adopt the measure on the suggestion of the Crown; it is a Standing Order of the House that no grant of money should be made for any service excepting on the suggestion of the Crown. And what did this House do? The House of Commons, at the suggestion of the Crown and its servants, has passed a Bill conferring a certain provision upon this officer, granted, it is stated, for the support of the dignity to which the Crown has raised him. This House—having this Bill before it, and it being an understood arrangement in the business of supply between the two Houses that this House should not alter a money grant in a Bill of Supply—this House does that which I believe the noble and learned Lord who spoke last cannot produce a single instance of the House of Lords having done, and proceeds to increase the grant made by the other House. Now I must say this is a course which I do not think it would be for the credit of this House to adopt; because if adhered to, it must follow that the Bill will be rejected; and at this time, and in the present state of circumstances, it is very desirable that it should not be lost. That is the position in which the question stands constitutionally, and to this point I beg particularly to draw your Lordships' attention. Certainly, I feel as much as any of your Lordships feel, the magnitude of the services these officers have performed; and I was most delighted to find that Her Majesty thought proper to reward those officers with the dignity of the Peerage, and that this reward was received throughout the country with acclamation; for I am sure there is not an individual in the country who does not feel that these rewards were well deserved. I also think it right that ample provision should be made for those officers, to enable them to maintain the dignity to which they had been admitted by Her Majesty's gracious favour. But, my Lords, the servants of the Crown have serious duties to perform in the consideration of all these matters; they have precedents to consider. They have to consider, also, and to look forward to the consequences of establishing a precedent which it may be inconvenient to future Governments to follow. Now, my noble and learned Friend has adverted to the case of Lord Nelson and others—he has adverted also to my own case, but that has nothing to do with the matter. With respect to Lord Nelson's case, I venture to say that it would have been most unjust towards Lord Nelson, or any man under similar circumstances, to have taken into consideration the supposed value of his foreign estate, in considering the means of enabling a gallant officer who is created a Member of your Lordships' House to support the dignity of the rank to which the Crown, in gracious acceptance of his services, had raised him. In that case, my Lords, that was not taken into consideration; but I can tell my noble and learned Friend and the noble Duke (the Duke of Richmond) that I know instances in which the point was considered. I positively know the fact, and the case of recommending a provision has been decided upon that point alone. I will not mention the names, because I do not choose to have the private concerns of individuals discussed, as they would be, for weeks and months afterwards; but I can give my noble and learned Friend the names privately, if he chooses. [Lord Brougham: No, no.] I know an instance of a noble Lord than whose services during the late war there were none more glorious or more distinguished; that noble Lord was, like others, elevated to the dignity of the Peerage by the Sovereign of the day, in testimony of his great services, and the gracious acceptance of them by the Sovereign. It was supposed that he was a man endowed with a fortune to enable him to support the dignity of his station without the usual

grant made on such an occasion to officers who, in the presence of the enemy, have gained that honour. It was supposed that he had sufficient property to enable him to support the dignity, and he was consequently not recommended for a grant. But it was afterwards found that he was not so endowed, and had not a fortune sufficient to support the dignity; he was then recommended for the usual grant, and received it. I know another instance of a noble Lord, who was likewise recommended for his great, honourable, and glorious services to the Peerage; he was created a Peer, and happened to have a fortune adequate to enable him to support the dignity of the Peerage. No grant was recommended to be made to him, nor did he ever receive it: the Peerage is now held by the family; but no grant was made. I can give my noble Friend the name of that noble Lord likewise. These are two cases positively in point, where the principle was laid down that has been acted upon in this case, and on which the present Government is also disposed to act. Now, I say, it is important for the army—it is important for those who are likely to be candidates for this honour by their great and glorious services, that it should not be made a matter of controversy, a matter of doubt, a matter of difficulty, on account of the enormous expenses occasioned by this precedent—it is important that this reward should be kept within reasonable bounds; and, under these circumstances, my Lords, I warn you of the vote you are about to give, as affecting the situation of officers in the army. I beg you not, by a course of this description, to make it so expensive as that future Governments, in taking into consideration the grounds on which they are to act when in office, may find it impossible to grant such honours and provisions in future. Let us look a little at this case of 5,000*l.* a year granted to Lord Hardinge, and 2,000*l.* a year to Lord Gough, as granted by the East India Company. I have already shown you that the Government do inquire into the fact whether the officers so raised on account of their services have the means of maintaining their dignity. The Government had to propose this provision for those two noble Lords. My noble Friend the President of the Board of Control finds that the East India Company intend, out of the funds at their disposal, to grant 5,000*l.* a year for life to one, and 2,000*l.* a year for life to the other, provided that Her Majesty will be graciously pleased to give Her consent to those grants. Therefore the servants of the Crown could not do otherwise than take notice that this provision for the lives of those officers had been made. I do not know whether they came out of one fund or the other; but the late Government had advised the Sovereign to give Her consent to those grants—the Company could not make the grant without the consent of the Crown—my noble Friend gave his consent, and Government had a knowledge of this grant at the moment when it decided on this arrangement, and advised Her Majesty to send the Message to Parliament recommending the grant of these pensions; and, having that knowledge, the Government could not do otherwise than take these grants into their consideration. That being so, it was fit that the circumstances should be provided for in the Act of Parliament; and, accordingly, they are provided for in the Bill as it came from the Commons. Under these circumstances, I say, Government could not do otherwise than take the steps they have done; and I earnestly entreat your Lordships, both for the sake of the army, and for the sake of the interests of those gallant officers' families—for it is very important to them that the question should be settled in this Parliament—I earnestly entreat your Lordships to agree to the Motion of my noble Friend.

The Marquess of CLANRICARDE said, that if the noble Earl (the Earl of Ripon) had made the speech on the former occasion, when the Amendment of the noble Duke opposite (the Duke of Richmond) was carried, which he had made that night, he (the Marquess of Clanricarde) certainly should have voted for the Bill, as he should that night, and not for the Amendment. The ground on which he had supported that Amendment was, that whereas the East India Company had granted certain rewards, the Government came forward in what then seemed, as it was called, a shabby manner, to save its own resources. He was not then aware of the law, that the East India Company had not the power of making the grant without the leave of the Crown; but since then he had informed himself on the whole matter, and he must say, that having done so, he thought the noble and learned Lord (Lord Brougham) entirely wrong in holding that this money was the property of the East India Corporation, or that, if it was saved

to them, it would benefit individuals at the expense of the country. The result of the Amendment, if carried, would be to throw out the Bill, and thus cause serious inconvenience to the families of the two gallant officers concerned; for it was impossible to suppose that the House of Commons would allow their Lordships to increase a money grant. There was nothing in the circumstances to justify so unusual an interference.

The EARL of GALLOWAY had also been taken unawares by the proceedings on this measure. However, he had not voted on the former occasion; but feeling himself now much better acquainted with the subject, and seeing also that the late Government adhered to their opinions upon it, and the present Government equally adopted those opinions, he should vote with the noble Marquess.

The EARL of WICKLOW said, that though he was about to vote in opposition to the vote he had given on the former occasion, he could not, he thought, be accused of factious or party motives. The argument that had weighed with him on the former occasion was, that a vote from the funds of the East India Company would in future be an injury to the individual to whom it was granted, by being made the pretext for the Government to give him less; but after the explanations which had been given, his opinion was altered; and if he had supposed for a moment that he was endangering these annuities by his vote, he would not have given it on the former occasion. Now, however, it was not satisfactorily clear that the Crown would sanction, or the Government or the House of Commons agree to the introduction of another Bill, if their Lordships adhered to the Amendment of the noble Duke (the Duke of Richmond), and thereby caused this Bill to be thrown out in the other House. It would not, therefore, he thought, be judicious in their Lordships to adhere to an Amendment which would either have the effect of depriving these noble persons of the incomes intended for them by the House of Commons, or would create an inconvenient precedent for an increase of the sums proposed to be granted in such cases. It had been stated by the noble Marquess, and corroborated by the noble Duke (the Duke of Wellington) on the cross bench, that these grants of money were not the rewards of services rendered, but for the purpose of maintaining the dignity which had been conferred. Now, that was a very important argument in debating this question. He had lately—but he was not prepared to assert the fact—seen it stated in the public prints, that, since these Bills had been before Parliament, Lord Gough had succeeded to a property of the annual value of 4,000*l.* or 6,000*l.*; and, should this prove to be true, they might discover that the dignity could be maintained without any grant whatever. For these reasons, he would recommend their Lordships to adhere to the original Motion.

The DUKE of RICHMOND wished to deny an allegation which had been made, that he had spoken disrespectively of Lord Hardinge. Such had not been his intention; he merely expressed an opinion of the impropriety and the impolicy of the Governor General of India appearing as second in command to the Commander in Chief. He might also state, that nothing could be more unfounded than the assertion that he had been influenced in the course which, on this question, he had taken, by party or political feeling: on this, as he trusted on every other occasion, he had done what he considered to be his duty.

After a few words from the EARL of GALLOWAY,

On Question, "to agree to the said Amendment," House divided:—Content 18; Not Content 47: Majority 29.

Resolved in the Negative.

List of the CONTENTS.

DUKES.	LORDS.
Buckingham	Beresford
Richmond	Combermere
MARQUESS.	De Lisle
Ailesbury	Lake
EARLS.	Kenyon
Charleville	Gardner
Sheffield	Redesdale
Waldegrave	Glenelg
Oxford	Keane
Scarborough	Berwick

PAIRED OFF.

Duke of Beaufort	Marquess of Salisbury
Earl of Cardigan	Earl of Denbigh
Lord Brougham	Lord Southampton

House adjourned.

HOUSE OF COMMONS,

Thursday, July 16, 1846.

MINUTES.] NEW MEMBERS SWORN. For Dungarvon, Right Hon. Richard Lalor Sheil.—For Lichfield, Lord Alfred Paget.

PUBLIC BILLS.—1° Books and Engravings; Deodands Abolition (No. 2); Shannon Navigation.

2° Rateable Property (Ireland); Ejectments, &c. (Ire-

land); Leases (Ireland); Exclusive Privilege of Trading Abolition (Ireland); Death by Accidents Compensation.

Reported. Western Australia; New Zealand Loan.

3ª and passed. Service of Heirs (Scotland).

PETITIONS PRESENTED. By Mr. George Byng, from Guardians of the Poor of the Medway Union, and by Lord Worsley, from Guardians of the Caistor Union, for Rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By the Earl of Lincoln, from Inhabitants of Linlithgow, in favour of the Art Unions Bill.—By Mr. Divett, from Mayor and Aldermen of the City of Exeter, and by the Earl of Lincoln, from Churchwardens, Overseers, and Guardians of the Poor of St. Martin in the Fields, for the Establishment of Public Baths and Washhouses.—From William James, and others, for the Establishment of Local Courts.—By Mr. Alderman Thompson, from Owners of Land and Ratepayers of the Parish of Vaynor, for Alteration of the Poor Removal Bill.—From Edward Willan, of No. 35, Bedford Row, Solicitor, praying that Leave might be given to the proper Officer of the House to attend the Maidstone Assizes, and produce the Books containing the Registers of Parliamentary Agents, from 1837 to the Present Time.—By Mr. Divett, from Members of the Committee of the Exeter Anti-Capital Punishment Society, and by Sir Edward Colebrooke, from Inhabitants of Taunton and its Neighbourhood, praying for the Total Abolition of the Punishment of Death.—By several hon. Members, from various places, for the Adoption of Measures for Redeeming and Extinguishing the Tolls upon Waterloo, Southwark, and Vauxhall Bridges.

THE PROVINCE OF SCINDE.

MR. HUME, seeing the right hon. Baronet the President of the Board of Control in his place, begged to repeat the question which he had put to him a few nights ago regarding the province of Scinde. What he wished to know was, whether Scinde had been annexed as a province to the British Empire, as declared by Lord Ellenborough, in the same manner and under the same conditions as other provinces of the Empire—Ceylon for instance —or whether Scinde was to be considered as a portion of the possessions of the East India Company? And if so, what course was to be adopted regarding its future management, seeing that the present government of that province was altogether different from that of any other under the management of the Company, having neither a presidency nor civil government like every other province.

SIR J. C. HOBHOUSE, in answer to the questions put by the hon. Member for Montrose, said: I beg leave to tell him that the province of Scinde is part of the possessions of the hon. East India Company, kept by them in trust for the Crown. The hon. Gentleman will recollect, that in the papers published at the time relating to Scinde, Lord Ellenborough stated it to have been annexed in the usual manner; and in a notification made to the Indian Government he declared that he had entrusted the government of the province to Sir Charles Napier. When he had so reported the proceedings, he asked for their opinion, informing them that unless he heard from them to the contrary, he should continue the Government in the form in which he had established it. Now, inasmuch as no notification to the contrary has been made as yet, the province has continued to be administered by Sir C. Napier in the manner in which my hon. Friend has correctly described it, as totally differing from that of any other part of the dominions of the British Crown in India. The matter has been considered by the East India Company; and in 1844, the Court of Directors proposed that the Governor General should send them a plan for the establishment of a Government, and the arrangement of the civil administration of the province of Scinde in the usual manner. In consequence, however, of the great measures which at that time, and since, occupied the attention and claimed the consideration of the Governor General, I mean the affairs of the Punjaub, and the other important matters connected with it, the Governor General has not as yet sent in the plan requested by the Court of Directors. In the month of December in the same year, the same opinion was again expressed regarding the necessity for assimilating the government of the province to that of the other portions of our Indian possessions; but inasmuch as the Governor General had not, up to last June —I mean the month of June just passed— sent into the details, similar orders have been sent out to the present Governor General; and before the autumn I expect to receive the full plan from Lord Hardinge.

ARRANGEMENT OF PUBLIC BUSINESS.

LORD J. RUSSELL then rose, and spoke as follows:—Mr. Speaker, I stated two evenings ago that I would to-day give notice of the general course which Her Majesty's Government propose to pursue with respect to several of the Bills which are now before this House; and I will do so in moving the consideration of the Orders of the Day. I wish, in the first place, to give notice that I will on Monday next state the plan of the Government with respect to the Sugar Duties. I shall state that plan in Committee, and propose afterwards to adjourn the consideration of it until the Friday following — to-morrow week. We have now reached a period so late in the Session, that I must propose

that early day for its consideration; and after this notice I hope the House will be enabled to take this course. As only a fortnight will elapse from next Monday till the expiration of the Sugar Duties, I shall at the same time propose a short Bill, similar to the last Bill, for the continuance of the Sugar Duties. [Several hon. MEMBERS: For how long?] I shall propose a Bill continuing the Sugar Duties for one month, or until Parliament shall otherwise provide. With respect to the Bills now before this House, the first of them that came under my observation is the Poor Removal Bill; but with regard to that Bill I have already stated my general views to the House, and my right hon. Friend the Secretary of State for the Home Department will presently state what is proposed to be done with regard to it. The next is the Drainage Bill—a Bill to facilitate the improvement of land. A Member of the Government will undertake that Bill, with the hope of carrying it through in the present Session. The next most important class of Bills are those which were brought in by the noble Lord lately Chief Secretary to the Lord Lieutenant of Ireland. One of these Bills, the most important, the Ejectment Bill, we propose to go on with; not exactly in the shape in which it is at present, but with some alterations, and preserving that clause, I think as it is in that Bill, which prevents distraint on growing crops. The Leases Bill we likewise propose to go on with. With regard to other Bills affecting Ireland, we found on looking attentively at the Tenants' Compensation Bill that its machinery is exceedingly complicated, and we wish to give further consideration to it, with a view of seeing whether we can hope to pass it this Session into a law. There are some other Bills affecting Ireland, with regard to which my right hon. Friend the Chief Secretary to the Lord Lieutenant will be able to answer any inquiries which may be made on the subject. I do not see that there is any necessity for me to notice them at present. There are some Bills in the House of Lords; one of them is called the Small Debts Bill, which is a Bill similar to one introduced by former Governments and by the late Government—a measure which has been repeatedly before Parliament. The present Government entirely approve of the general purport of that Bill. It is a measure of great length, and contains many provisions. The Bill is also one of great importance; and I do hope we may be enabled to obtain the consent of Parliament to it in the present Session. There is another Bill, which is likewise at present in the House of Lords, which the Government do not propose to take into their own hands, unless it be necessary, which I trust also will obtain the assent of Parliament—that is, the Bill called the Religious Opinions Bill. That Bill was introduced by a Member of the late Government, I believe in the name of the Government, as a Government measure; I trust the author of that Bill will continue to take charge of it; but if he should be of opinion that he cannot do it, some Member of the present Government will propose to conduct it in the shape in which it at present stands. There are many other Bills which are not measures of great importance, and which we propose to go on with. With respect to measures to be introduced, I will not give any detailed notice at present. I will only say, that looking to the improvement of the waste lands of Ireland as a subject of the very greatest importance, we shall endeavour to introduce preparatory measures, and if it be necessary to ask the aid of Parliament for any measure of that kind, we shall be prepared to ask it in the present Session; but, at all events, we shall endeavour to make preparation for the introduction of a general plan for the settlement of the waste lands in Ireland next Session. This, Sir, is the statement I have to make in moving the Order of the Day.

MR. J. E. DENISON: It is not my wish to press upon the House at this period of the Session any amount of labour which my noble Friend is willing to spare it. He has declared his intention of withdrawing from the Poor Removal Bill the provision for union settlements. I shall not attempt in the face of such a declaration to uphold that provision, nor shall I even trouble the House with my reasons for desiring to see it maintained. But I cannot help inviting the attention of the House, and of my noble Friend, to the position in which the Poor Removal Bill is left. Without the provision for union settlements, the author of the Bill, the late Secretary of State for the Home Department, has avowed his opinion that the measure must work a great amount of injustice. Is it wise to carry forward a measure so characterized? I beg to ask the right hon. Secretary for the Home Department, whether it is to be a Bill of irremovability or settlement? As

it stands, it is a Bill of settlement as well as irremovability; and if settlement is cut from it, it certainly cannot suit the views of the hon. Member for Finsbury. In the agricultural districts it will occasion, to say the least of it, great inconvenience. The word "irremovability" is not to be found in any dictionary. It describes a condition of life to be found in no law book; and before this new word has penetrated the understandings of half the people of England, the enactment will have been swept away. I hope, therefore, that my noble Friend will not ask us to proceed with this Bill; if he does, it cannot pass without observation and opposition; because, as I have said, it will not only produce great inconvenience in the agricultural districts, but work positive injustice. I hope that my noble Friend will, before the next Session, review his opinions as to future legislation upon this subject, and will not permit that the whole question of Poor Laws and settlement shall be thrown loose upon the House, and submitted to a Committee. I trust that the Executive Government will consider it its duty to undertake this most difficult and important matter. On the proper occasion I shall state more at length my objection to the Bill; but I may take this opportunity of saying a few words on the constitution of the Government of my noble Friend. There is in that constitution much that meets my entire approval. I entertain the highest opinion of many of the men of whom it is composed. I have great hopes as to their measures; and I have sanguine expectations of advantage to Ireland. But I think it right to tell my noble Friend that it has, in my opinion, one remarkable deficiency—one great defect. With many elements of power, there is one striking want — the want of a just and adequate representation of the landed interest of this country. The great towns are powerfully represented—the law is represented perhaps more than enough—the Anti-Corn-Law League is represented; but I look in vain for any powerful parties representing the interests of the land. London, Manchester, Halifax, Nottingham, Sheffield, Devonport, Lambeth, and Edinburgh are represented. I should not do justice to my own feelings if, in mentioning Edinburgh, I did not add that my right hon. Friend who represents that city as not less remarkable for his unrivalled talents than for his high and honourable independence, which render him the greatest ornament to any Administration. When I look to the House of Lords, I see there, indeed, Lord Lansdowne, whose name I mention with the highest respect. He is a great landed proprietor in England; and I believe a greater in Ireland. I see Earl Grey and Lord Morpeth; but Lord Morpeth has sunk his character as a representative of the land in his character as the representative of the commercial interests of the West Riding of Yorkshire, and in his membership of the Anti-Corn-Law League. Earl Grey entertains upon these subjects extreme opinions — holding that, after the repeal of the Corn Laws, rents will be raised fifteen or twenty per cent. At present, therefore, he can only be regarded as a sanguine prophet: when the event he anticipates has arrived—when willing tenants pay an increased rent to not reluctant landlords—he will become a great authority with the agricultural interest. But, at this moment I cannot think that he represents either the opinions or the feelings of that class of the community. There is my right hon. Friend the Member for Halifax (Mr. Charles Wood). I have looked at his speeches and at his late address, and I see in them no reference whatever to the landed interest. In the public papers, on the other hand, I find him spoken of as "Mr. C. Wood, well known as the ardent advocate of the commercial interests of the West Riding, and as the repealer of the tax upon wool." If what I have pointed out be a defect in any Administration, it is peculiarly so in the present, and at the present moment. The land has just received a rude shock at the hands of those from whom it had a right to expect different treatment. It requires to be conciliated to the Government; and, perhaps, I should not go too far were I to say that it requires in some degree to be reconciled even to our institutions. If, then, it be a defect at any time, it is especially so now. I have a right to speak on these points without being subjected to the imputation of desiring any exclusive privileges for the land, if any man has. When I thought that the landed interest asked for too great and too exclusive immunities, I was ready to throw my weight, such as it was, into the opposite scale. On this account I was considered an unnatural child of the soil, one faithless among the faithful; but now that the land has been deprived of all its exclusive privileges, I feel bound to support its just

claims. How are its just claims to be supported, but by having a fair share of representation in the Cabinet? Have we a fair, just, and adequate proportion of the Government, representing the land? I think not. And there is another most important consideration. What are the questions likely to be brought immediately before us? Questions relating to the social condition of the people, in which the land is most deeply concerned: the Poor Laws generally, the settlement of the poor, highway rates, local taxation, and county rates. I want to know to whom, in the present Government, we are to look, as having given attention to these matters, or to matters connected with the administration of these laws? I need not tell my noble Friend (for I have given proofs of it, of which he is well aware) that I have done what lay in my power to conciliate support to his Administration. I am anxious that it should stand—that it should last. I think constant changes of Government injurious, since they tend to weaken the principle of Government itself. I trust that the Government of my noble Friend may long endure, and that his measures may counteract any unfavourable impressions caused by the one-sided constitution of his Cabinet. But it must be by measures that confidence will be conciliated. I speak openly before him, when I tell him that the constitution of his Government makes it impossible for me to give it that entire confidence which I should have been happy to have bestowed upon it by anticipation, and at once.

Colonel WOOD did not intend to follow the hon. Gentleman into the wide field he had traversed; but with respect to the Poor Removal Bill, they ought first to hear how the right hon. Baronet meant to deal with it. The hon. Gentleman said, that he had supported the whole measure of his right hon. Friend, and that the Government were now about to abandon a part. He must set the hon. Gentleman right. The Bill, as it now stood, was not the Bill which had been promised to the poor. The Bill which had been promised was to prevent the poorer classes from being denied relief after they had resided for a number of years. There was not a word about union settlements, which were afterwards engrafted on the Bill by the hon. Gentleman the Member for Malton. For himself, he highly approved of the course taken by the Government with respect to this Bill. He would not go into the inquiry whether the landed interests or the commercial interests were sufficiently represented in the present Government, but he must remind the House of its being said out of the House that "the poor man was not represented within those walls;" and now they were upon a measure affecting the welfare of millions, let them not get into a discussion whether the land or trade had a little too much preponderance, or whether a few more landed proprietors ought to be engrafted on the present Government. But let them proceed at once with this Bill, which was to benefit the poor.

Mr. T. DUNCOMBE had taken the liberty the other day to ask the noble Lord at the head of the Government, when he would be prepared to state to the House and to the country the principles on which his Government was formed, and the policy he intended to pursue. He had put that question, not to produce the irritation which seemed to be created in the mind of the noble Lord at the moment, but for the purpose of ascertaining the day and the time when the noble Lord's statement would be made to the House, because the noble Lord must be aware that on Monday last, in consequence of what had been stated in the public press and elsewhere, he was expected to come down to the House with an explanation of the principles on which his Government was about to act. People came down to that House, but their expectations were disappointed, for all they heard was about this Poor Law Removal Bill, and the withdrawal of another Bill by the right hon. Gentleman (Sir J. Graham). The parties, therefore, went away very much disappointed. He was afraid they might meet with equal disappointment on some future day; and, to prevent that, he asked the noble Lord on what day he would make that explanation which the country had a right to expect, and on which the House, in the performance of its duty to the people, ought to insist? Why did he do this? He was satisfied there was sufficient around him to justify such a question. Let them look at the state of the House—no one knew exactly where he ought to sit. If they had a liberal Government, the Gentlemen who were about him, on the Opposition benches, were the natural allies of such a Government and ought to sit on the same benches with the Government. But he saw hon. Gentlemen who were the bitter opponents of the Ministers in former days sitting on

the same side of the House with them, and he believed ready to support them, because it had been intimated that nothing but the extremes would be dissatisfied with the Government. That was even stated to be the case with regard to the sugar question. He said then, that this state of things required some explanation. According to all Parliamentary usage, when a new man became Prime Minister of this country, he had felt it a duty due from him to the country and to the people to explain to Parliament on the first occasion the principles on which his Government would be conducted. On that principle he had asked the noble Lord his question; and what was the answer he had received? There was nothing in that question to induce what he considered was rather a pettish answer at the time; but if he objected to the tone of that answer, he was still more astonished at its substance. The noble Lord replied that his Government "would be conducted on the principles on which he had always acted, and on the opinions he had always professed in that House." Now, he had asked many Gentlemen what interpretation could be put upon that reply, and what construction could be given to the words of the noble Lord; but he had not found any one able to put a construction on them. If the noble Lord had said that the principles of his Government were the principles of the Government of Lord Grey, he should have understood the noble Lord; or if he had said that the principles of his Government were the principles of Lord Melbourne's Government, he should have understood the noble Lord; but when he saw the new features of party in that House, and the different arrangement of seats, he was puzzled, and every one who heard the noble Lord's statement must have been puzzled also. At what period were the noble Lord's opinions to be taken; would he tell them any one year to which they were to refer? The noble Lord ought at least to fix the time of the principles on which he had always acted, and of the opinions he had always avowed. There was another question connected with the present. Rumour, for which in a very short time he would give an undoubted authority, declared that the noble Lord had applied to the right hon. Baronet (Sir R. Peel) to lend him three of the most distinguished Members of the late Administration, Lord Lincoln, Mr. Sidney Herbert, and Lord Dalhousie; and perhaps their accession to the Government would have satisfied the hon. Member for Malton, since they were closely connected with the landed interest. Now he did not care a straw whether the Members of the Government were connected with the manufacturing, the commercial, the trading, or the agricultural interests. All he wanted to know was, their principles and the mode in which they intended to conduct the Government; and he would ask the noble Lord, whether he did apply directly or indirectly to the three Gentlemen connected with the late Administration? Since the noble Lord had given his former reply he had seen some of the noble Lord's influential constituents, and he had been told that if the noble Lord now went to Guildhall, flattering as his reception had recently been, it would notwithstanding be very different now. ["No!"] Let the noble Lord try—let him go there. And why was this? Because the electors considered the noble Lord's answer very unsatisfactory, and, to use one of the expressions, they thought they were to have the "old Whig dodge over again." He now came back, however, to the case of the three Gentlemen to whom the noble Lord had applied, and he wanted to know on what principles that application was made? At first the report was denied, and he did not believe it for some time. He had read it in the public papers; but he was not in the habit of believing all that he read in those papers. He had read in one paper, the *Weekly Chronicle*, where every thing was ably written and ably stated, as everything was able which proceeded from his hon. Friend the Secretary for the Admiralty, Mr. Ward—he had read this statement—

"Nothing can be more absurd than the rumours that have been circulated and continue to be circulated about the new Ministry. Every hour has its lie, and every lie its believers;" and then, after commenting on what had actually been done, the article went on to say, "One of our liberal contemporaries, the *Sun*, has the barbarity to suggest, that in addition to retaining Lord Dalhousie at the Board of Trade, for which it would be difficult to find a more efficient President, or one more universally respected, Lord John Russell should endeavour to secure the valuable services of Lord Lincoln in Ireland. We cannot comprehend these crotchets. A Peel-mania is bad enough; but a Lincoln-mania, or a Sidney Herbert-Mania, or a Granville Somerset-mania really passes our comprehension. Can any man point out to us, in the whole House of Commons, up to the 1st of November, 1845, a more decided monopolist than Lord Lincoln? Can any man understand or respect his conversion?"

Some hon. Gentlemen respected that conversion; but the hon. Gentleman the Se-

cretary for the Admiralty did not respect it.

"Can any man fathom the mental process by which Mr. Sidney Herbert was induced to espouse free-trade opinions, as soon as he met Sir Robert Peel in London, in November last year, after making the most strenuous protectionist speeches in August to his constituents. No; if there is to be a fusion of parties, by way of making what is called a strong Government, give us Sir Robert Peel and Sir James Graham. We should then, at all events, have something for our money. But, with all respect for the *Sun*, we cannot conceive a system of Irish Government of which Lord John Russell should be the head and Lord Lincoln the confidential agent."

Then in a few days he read another statement in a newspaper which he had been told was now to be considered the Government organ, *The Times*, with which some arrangement was said to have been made through the skilful negotiations of an hon. Baronet who was now a Member of that House, the hon. Baronet the Member for Worcester (Sir D. Le Marchant); and upon this he had to remark that it was due to the great leading journal, if the report were not correct, that nothing so injurious to its influence and character should go forth to the world as to have it said that it was the Government organ—to use the military terms of the *Gazette*, "vice the *Chronicle* superseded;" and the denial was due not only to the leading journal, but to the Ministers' old friend, to have a denial of the report. If there was no truth in it, it would be some consolation to the old friend, who had waded chin deep in the mire to support the Ministers, and had waited till the tide of victory had turned in their favour, to find that they had not neglected their old friend, and that it could still obtain the authority which it ought to have as the organ of the present Government. But when he read the paper he had referred to, and found it authoritatively stated that almost one of the first acts of the noble Lord was to apply to the right hon. Gentleman, the head of the late Government, for the loan of these three Gentlemen, and that—

"To this Sir Robert Peel is said to have replied, that he felt unwilling to interfere in so delicate a matter; that he would offer no opposition, but could certainly not recommend a step which would be liable to unfavourable comment, as indicating a too great tenacity of office on the part of those youthful statesmen;"—

and when he found that they had no intention at present of accepting the offices offered to them, and that their places were then filled by the hon. Gentlemen who now sat on the benches opposite, he must say that he very much agreed with the *Weekly Chronicle*; and he asked, why did not the noble Lord apply at once to the heads of the late Government? The country had in them an excellent Secretary of State for the Home Department, who, it was admitted, discharged the duties of his office to the satisfaction of all, as far as the public interests went: the personal and private squabble he had with him could have nothing to do with the mode in which the right hon. Gentleman discharged his public duties, and could weigh only as a feather in the balance. Then there was the Chancellor of the Exchequer—an old and experienced Chancellor of the Exchequer—whose budgets for years had "braved the battle and the breeze," and who was at any rate to be preferred to a raw and inexperienced man, though he might come from Halifax. He said, then, at once, that it would have been better for the noble Lord and for the right hon. Baronet to have taken their places together. When he found these things stated by the leader of the press, would any one tell him that no explanation was required, and that the people were not entitled to some explanation from those who presumed to govern them? He should have thought that the noble Lord would have been only too anxious to have declared the principles on which he intended to conduct the Government. They were told that he meant to conduct it on the principles he had always advocated, and on the opinions he had always expressed in that House. Well, then, he wanted to know what were the noble Lord's intentions with respect to the Irish Church? What opinions did the noble Lord express with respect to that church last year? His hon. Friend the Member for Sheffield moved as an Amendment on the Maynooth Bill—

"That it is the opinion of this House, that any provision to be made for the purposes of the present Bill ought to be taken from the funds already applicable to ecclesiastical purposes in Ireland."

The noble Lord had voted in support of that Motion: was that the principle on which the Government of the noble Lord was to be conducted? If it were, he ought to let the country know. He had heard also of a dinner which he thought took place at Greenwich the other day, at which the noble Lord at the head of the Gentlemen who cheered, declared, amidst cheers which almost shook Greenwich Hospital to its foundation, that the principles of his party in 1846 were the princi-

ples of 1841. What were their principles in 1841 he should like to know. Did they not all, in 1841, come to this resolution?—

"That we feel it, however, to be our duty humbly to submit to your Majesty, that it is essential to the satisfactory results of our deliberations upon these and other matters of public concern, that your Majesty's Government should possess the confidence of this House and of the country; and respectfully to represent to your Majesty that that confidence is not reposed in the present advisers of your Majesty."

And who were those advisers? They were the very men that he was told those hon. Gentlemen were now prepared to support, who were, at least, sitting on the same benches, and, at all events, they could not give their confidence to the Government if Ministers were going to act on those principles which, in 1845, they had declared with respect to the Maynooth Bill. The noble Lord had said that he supported the Maynooth grant only as a prelude to other measures which would lead ultimately to the endowment of the Roman Catholic clergy; and Lord Howick, who was then in that House, had gone further, and said that he would take the revenues of the Protestant Church, and apply them, in the first instance, towards the payment of the Roman Catholics, whose original property they were. He wanted to know whether these were the principles on which the noble Lord's Government was to be conducted? He hoped that they were, for it would then receive an extensive popular support. Then they had heard a great deal of the improvements to be made in the social condition of the people; and he wished to learn whether the noble Lord would also take their political condition into consideration; and whether he was favourable to an extension of the franchise? There were many Gentlemen around the noble Lord, holding indeed subordinate situations in the Government, but who of course had not joined him without having the guarantee that they were to support an extension of the franchise, as they had hitherto done. Surely, they were not placed in the Government as men were placed in the last Government, where the Duke of Buckingham and Sir Edward Knatchbull were placed, that it might be said, "Surely such a Government must be the farmers' friends," but who were soon obliged to leave the Government; for he was satisfied his hon. Friends had not joined the Government for the purpose of leaving it when any Motion for an extension of the franchise should be proposed. He must ask, therefore, whether the noble Lord entertained his old opinions with respect to the finality of the Reform Bill, and whether he was now opposed to an extension of the franchise? Again, there was another question of great importance with respect to the social condition of the people—he meant the Bill for regulating the hours of labour in factories. The noble Lord had given a zealous support to that measure during the existence of the late Government; he was now at the head of the Government, and, as he (Mr. Duncombe) believed, the noble Lord had the means, by a great majority in that House, of carrying out the proposals he had supported; and the noble Lord would not tell him, he hoped, that the noble Lord left that measure in the hands of individual and independent Members of the House. He trusted that the noble Lord would take it out of their hands and bring it, as he could do, to a satisfactory issue. He looked to the composition of the noble Lord's Ministry, and he found sitting beside him the hon. Member for Taunton (Mr. Labouchere), a violent opponent of the measure, and the hon. Gentleman the Member for Sheffield; and what was he to think of it? Would any one say that this state of things did not require some explanation? It was the interest of all parties that they should not be any longer deceived, or allow themselves to be deceived. It was said, in defence of the late Prime Minister, when he was charged with deceiving his party, "No, he did not deceive them, he allowed them to deceive themselves;" and let not the present House fall into the same error with respect to the noble Lord. It was for the interest of all parties to know the truth; whether Tory, Whig, or Radical, they ought to know the worst they had to expect from this Government. If the noble Lord should give an answer which was satisfactory, as he believed the noble Lord would—if the noble Lord's measures were to be extensive—if his measures were to be liberal, there was no amount of popular support that he would not receive. He did hope and trust that such would be the fate of the noble Lord's Government, and that the noble Lord would that evening make such a statement to the House of the principles upon which his Government was to be conducted, that would not only be satisfactory to the House, but also to the country and the people, whose destinies the noble Lord aspired to direct.

LORD J. RUSSELL: When the hon. Gentleman asked me the other night whether I were prepared to make a declaration of the principles upon which the Ministry of which I am at the head is to be conducted, I declined undertaking that task. I, however, took no offence, as the hon. Gentleman seems to suppose, at the question, though it did not appear to me to be necessary that a person who had taken a part, perhaps an unwise—perhaps, to the country, an injurious—part, in the discussions of this House, yet at least always an open part, should, after being called upon by Her Majesty to form a Government, and after having succeeded in inducing individuals who, in his opinion, are competent to conduct the affairs of the different departments, to share with him the responsibility of Government—make a general parade of opinions and principles—a parade which it is very easy to make of declarations which may combine the sentiments of a very large majority in this House; and yet, when that parade is made, may leave Members as ignorant as they were before as to the precise measures which the Government intend to introduce. I therefore did not think it necessary to make any such declaration; and though the hon. Gentleman has alluded to various persons who filled the situation I have now the honour to hold as having made such declarations, I am at a loss to call to mind when those general declarations were made, or who were the persons that made them, on assuming the government of the country. [Mr. T. DUNCOMBE: Earl Grey did.] I do not remember that Earl Grey made, in the House of Lords, a general declaration of policy; or that Lord Melbourne or Sir R. Peel made any such general declaration. But my hon. Friend the Member for Malton (Mr. E. Denison), and the hon. Gentleman the Member for Finsbury, have made various comments and criticisms on the composition of the Ministry. At least the hon. Member for Finsbury has asked various questions, to some of which certainly I shall proceed to give an answer. But, first, with respect to my hon. Friend the Member for Malton. He makes a criticism, which I own I do not think very just, as to the composition of the Ministry. I own that I think, considering the vast extent to which commerce and manufactures have proceeded of late times in this country—considering how vast a portion of the community depends on them—that it would be rather a juster criticism, if such criticisms are to be made, to say that there are too many Members of the present Administration who are connected by family entirely with land, than that there are too few. But I decline to enter upon any answer to that allusion. I think that we have heard enough, and more than enough, on the one side, of the importance of the landed interest, and how exclusively its interests ought to be considered; and, on the other hand, that the manufacturing districts of Lancashire and Yorkshire are hereafter to govern the country. For myself, I deny the justice of either plan or principle. I hold, myself, that not for land, not for commerce or for manufactures, but for the benefit of the whole people of the united Empire, the Ministry ought to be constituted; and it will be according to the manner in which the Ministers shall discharge their functions—it will be according to the mode in which they can answer to their high trust, that their conduct must be judged, and not by any particular computation as to how much income one Gentleman may receive from land, or how far another, who happens to hold the situation of Lord Chancellor, has been all his life connected with the profession of the law. But the hon. Gentleman the Member for Finsbury proceeded to other questions; and he inquired, in the first place, whether in the construction of the Ministry I asked for the aid of three Gentlemen who were the Colleagues of Sir R. Peel in the late Government? The hon. Gentleman asks, in that vein of agreeable levity with which he sometimes entertains the House—"Did I ask Sir Robert Peel to lend me three of his Colleagues?" Let not that representation on the part of the hon. Gentleman be taken as any resemblance of the fact; but with regard to the fact itself, I do not deny that I did ask Lord Dalhousie, Lord Lincoln, and Mr. Sidney Herbert, to do me the honour to become Colleagues of mine in the Government which I was about to form. It was my opinion that I ought not to endeavour to procure the aid in office of persons from whom I widely differed in political sentiments; and that those who maintained, and honourably maintained, I admit, as had been lately declared by them the same opinions in 1846 as they held in 1841, and which opinions are entirely adverse to mine, could not properly be asked by me to assist me in the formation of the Government. But, at the same time, I did think it of consequence—of

great consequence—to the honour and happiness of my Sovereign, and to the welfare of the country, that a Ministry should be formed which should combine as much as possible of support—some placing their confidence in some Members of the Government, and others placing their confidence in other Members of the Government—but all agreeing as to the general line of policy to be pursued. Now, with respect to great questions of late years—not certainly up to 1841, 1842, or 1843—but for the last two years, I have found myself sitting on the Opposition side of the House, agreeing in a great measure with those Gentlemen who were the Colleagues of the right hon. Gentleman the Member for Tamworth. I agreed with them, and supported them when they brought forward measures for the advancement of what is called "free trade;" the taking away restrictions and abolishing monopolies. I agreed with them when they endeavoured to bring forward measures which I thought just in principle, if not wise in the moment of their introduction, for the conciliation of Ireland. Therefore, I did not see that there would be any sacrifice of honour on their part, or on ours, if they should join me in the Government. They expressed themselves, I must say, in terms personally very courteous to me, stating that they thought they could not take a part in the present Administration. That was a point entirely for them to form their own judgment upon; but I cannot reproach myself with failing in my duty to my Sovereign in making that proposition to them. The hon. Gentleman next alluded to what he had seen in the public newspapers, with respect to which I shall not follow him; for I think I am not responsible in any way for what is stated in the public papers. He then adverted to certain questions, with respect to which he wished to know the opinions of the Government. I will not deny that, though I should not have thought it necessary to make any such general or vague declaration as that to which I have alluded; yet being called on with respect to certain questions, I do think I am bound, as far as I can, to give my opinion as to the mode in which I think the Government ought to be conducted with respect to these particular questions. Now, in the first place, I think, as regards any Government to be formed at present or in future, but more especially as regards a Government to be formed of those who profess general liberal opinions, it is necessary to combine in office men who agree in general principles, who agree on those questions which are urgent questions of Administration of the day; but that it is not necessary that every Member of such Government should agree on every question which may come under the consideration of Parliament. Such was the mode in which, of old days, statesmen of great ability, and who have conducted the affairs of this country with great success, formed their Governments. Such was the mode pursued by Mr. Pitt, who formed a Government of great strength and duration in 1784. The Members of Government and of the Cabinet might entirely disagree with respect to Parliamentary reform—a very great question in those days, and at all times, until the Act of 1832 passed. Mr. Pitt had Colleagues in that Government who disagreed with him on the important question of the Slave Trade in their speeches and their votes. When Mr. Fox succeeded to Mr. Pitt, he formed a Government in which there were Members differing from him with respect to Parliamentary Reform and the Catholic question. When a Government was formed afterwards by Lord Liverpool, he comprised in his Cabinet Members who differed entirely on the Catholic question, and which became in the end the most important question of the day. With respect to this latter case, I think that that combination of men, differing on the Catholic question, was carried on too long; but yet I think, when there was a question of carrying on war with France—when there was a question of endeavouring to oppose resistance against a mighty military chief, who threatened the existence and independence of this country, that the head of the Administration was perfectly justified in placing in the several departments of the Government men who could act together on the essential questions of Administration, though they differed on particular questions connected with the internal policy of the Empire. The right hon. Gentleman the Member for Tamworth, in forming his Government, certainly seems to have aimed at a much greater agreement of opinion, and at a much greater identity of conduct on the part of the Members of his Administration, and of his party generally, than was aimed at by Mr. Pitt, Mr. Fox, or Lord Liverpool; but I own that though the right hon. Gentleman, from his great talents, great power in conducting a

Ministry, from various circumstances, for a time succeeded in that attempt, I do not think that it is an attempt likely to be very successful again, or to be advantageous to the country. I say this, because there are several matters I will readily admit, on which Members of the Administration, of which I have the honour to be at the head, are not completely agreed in opinion. With respect, for instance, to the opinions of Earl Grey on the Irish Church, I do not concur in many of the statements made by that noble Lord in this and the other House of Parliament. Some Members of the Administration, again, may think that I have gone too far with respect to the statements I made with respect to the Irish Church. I will state, however, at once, what is my intention, and the intention of my Colleagues, with respect to the affairs of Ireland. We consider that the social grievances of Ireland are those which are most prominent, and to which it is most likely to be in our power to afford, not a complete and immediate remedy, but some remedy, some kind of improvement, so that some kind of hope may be entertained that some ten or twelve years hence the country will, by the measures we undertake, be in a far better state with respect to the frightful destitution and misery which now prevail in that country. We have that practical object in view. We shall endeavour to undertake it —we will endeavour to apply our whole minds to the subject; and we will not be led away from it by any differences on other subjects, not calculated to effect any immediate good. I say, secondly, with respect to the franchise in Ireland, that it is my opinion that it is a great mistake to suppose, as some persons seem now to suppose, that there is no immediate connexion between the political franchise and the social condition. My opinion is, that in proportion as men are raised by the enjoyment of those franchises which belong to a free state, their energy and industry are promoted; and they aspire to better things and to a higher condition. And so, seeing that I agree with those who have been the greatest lights and ornaments to this House, as, if I went into matters of detail, I could presently show, I shall endeavour to obtain for the people of Ireland, the enjoyment of equal franchises with the people of England. My hon. Friend said that it is necessary that I should make some declaration of principle, and that is the answer I give him. But is it necessary for me to make any declaration? In 1836 I contended successfully in this House, with respect to municipal franchises, that the people of Ireland ought not to be abased or placed on a lower level than the people of England. What I contend for in 1846 is exactly conformable with what I contended for in 1836; and I do look to be able to complete more fully than I did then the measures I had in contemplation, because I have heard from many of those who were then opposed to me in opinion the most ample concessions, the fullest and freest admissions that the franchises of the people, both of England and Ireland, ought to be perfectly equal. On this subject, then, I have better hopes than I formerly had; and it is but honourable in those who have changed their opinion on the subject, and who now think that this equality ought to exist, to avow that change of opinion, and to aid us in the endeavour to procure the desired equality. With respect to the Church in Ireland, and the endowment of the Roman Catholic clergy, I voted with my hon. Friend the Member for Sheffield in favour of providing for the establishment of Maynooth out of the funds of the Established Church. We were defeated by a great majority, the opinion of the House being adverse to that proposition. I afterwards continued to the end to give a zealous support to the Bill which provided for the establishment of Maynooth out of the Consolidated Fund. I made no difficulty in supporting that Bill, because the Motion of my hon. Friend was not carried. Well, I now say, that I retain my opinions with respect to the Protestant Church, and with respect to Roman Catholic endowment; but I do not think that it is necessary that I should urge these opinions at the present moment, for I should be doing that which I must confess at the present moment to be impracticable. I believe that with respect to what some have proposed, viz., the destruction of the Protestant Church in Ireland, there could be no worse or more fatal measure sanctioned by Parliament. I believe that it would be politically injurious, because I believe that many of the most loyal in Ireland—many of those the most attached to the connexion with this country, would be alienated by the destruction of that Church, to which they are fondly attached. I believe that in a religious point of view, it would be the commencement of a religious war; that there would be that which does not at present prevail—the most violent and vehement attack on the Roman Catho-

lic religion; and that the Roman Catholics themselves would be the first to complain of the destruction of the Protestant Church. Can you found or endow the Roman Catholic Church? It is quite evident from Mr. Pitt's speeches, and the memoranda left by his friends, that he was of opinion that it was possible to endow or to make some provision for the Roman Church by the State. My belief is, that if Mr. Pitt had carried that measure, he would have carried a measure conducive to the welfare of Ireland, to the maintenance of the Union, and to the peace of the United Kingdom. In conformity with that opinion I gave my vote in 1825, twenty-one years ago, in favour of a Motion made by Lord F. Egerton, now the Earl of Ellesmere, who moved that a provision be made for the maintenance of the Roman Catholic Church. But what do I find at this moment? I see, generally speaking, that the Church of England, that the Dissenters of England, that the Established Church of Scotland, that the Free Church of Scotland, that the Established Church in Ireland, that the Protestant Association in Ireland, and lastly, that the Roman Catholics of Ireland themselves, are all vehement in opposition to such a plan. I received only this morning a placard from Edinburgh, in which the Roman Catholics of Edinburgh declared that they would resist, to the utmost of their power, any plan for the payment of the Roman Catholic clergy. I cannot see, then, that that is a measure which I am bound, consistently with my duty, to bring under the consideration of the House, until I see some kind of more favourable disposition towards it on the part of the people. I should say, if that measure, or any other measure were urgent, that, though impracticable, I might still be bound, by my duty to the Crown, to propose it and resign office if I should not carry it; but I must confess that with respect to ecclesiastical questions in Ireland, admitting as I do that neither the state of the Protestant Establishment, as affecting the South of Ireland, nor the voluntary system, as affecting the Roman Catholics, is satisfactory to my mind, yet I do see that there is not that cause of urgency that any immediate measures need be proposed with respect to them. There are many questions which are more beneficial to Ireland, and more practicable; and therefore I do not see the necessity of urging forward those questions, which I confess to be impracticable. If any Member of this House chooses to express or feel and act upon a want of confidence in my Administration, on the ground that I am not disposed to rest for ever satisfied with the present condition of ecclesiastical affairs in Ireland, or inclined to say that the state of these affairs is consistent with justice, and that it must be kept up in perpetuity on the principle of endowment for the Protestant minority, and of trusting to the voluntary principle for the support of the Roman Church—the church of the majority—if any persons are disposed to favour a vote of want of confidence in our Administration on that account, I cannot help their acting on such an opinion. But I cannot, in my own mind, say that I am satisfied perfectly with that condition of affairs. I cannot pledge myself if I find the people of England and Scotland disposed to what I think a more just and useful arrangement—I will not pledge myself to be an opponent of such arrangement. My hon. Friend went on to ask whether I should promote an extension of the franchise in this country; and he alluded to that word which has been often thrown in my teeth by those who wished to diminish any reputation I might have with the people, namely, the word "finality." Now, the word "finality," be it remembered, was no word of mine, it was a word invented for the purpose of expressing a system to which I never, I think, gave any countenance. What happened was this, that my Lord Grey and my Lord Althorp, the one in the other House of Parliament, and the other in this, had brought forward a great measure of Parliamentary reform; and when they were told by many persons "We shall be ready to support this reform if you intend to stop here, but we cannot support it if you mean it to be a step to some other scheme of Parliamentary reform which is immediately to follow it;" they said, "No, we do not intend any other scheme to follow this; we consider this as a final measure; this is the only measure we propose." I repeated in this House that such had been their language, and that I did not think it would be consistent with what they had said—I did not think, sitting by my late noble Friend, Lord Althorp, and consenting to his language, it would be consistent or honourable in me immediately to propose some other large scheme of Parliamentary reform. I never said that the whole Reform Bill should be kept just as it was in all parts; I said I could not be a party to

any large and new scheme of representation. I said, "It may be that the people of England differ from me; they may wish to have a new Reform Bill; they may wish to have household suffrage or universal suffrage; they may wish to have Triennial Parliaments or Annual Parliaments. If that is the case I think it is far better that scheme should be brought forward by some one who thinks it would be beneficial, and not by me, who sat by Lord Althorp when he made this declaration." With regard to that, I am of the same mind still. I am for improvement—I am for any improvement that can be made—I am for improvement with regard to all subjects; but as to intending to bring forward a new scheme of Parliamentary representation—as to introducing either household suffrage, or (what I believe my hon. Friend favours) the "five points" of the Charter, I will do no such thing. If I lose my hon. Friend's confidence I am sorry for it; but if he brings forward the five points of the Charter, I shall think it necessary to give my decided opposition to such a plan. [Mr. T. DUNCOMBE: I asked about the extension of the franchise, not the five points.] What my hon. Friend says now is, the extension of the franchise; but what he actually brought forward was a Motion founded upon a petition for a reform, a petition most numerously signed, but for that specific object of which he is the advocate. As to "extension of the suffrage," I must beg to wait till I hear my hon. Friend's proposition upon the subject—till I know what it is that he proposes under those very vague and indefinite words. [Mr. T. DUNCOMBE: Indefinite!] Yes, they are very vague and indefinite. [Mr. T. DUNCOMBE: What! extension of the franchise?] Why, I myself, at the time that I made that declaration, which was so much attacked, stated that there were certain matters—that there were other classes of voters who I thought might be introduced consistently with the Reform Bill. I will not say whether those schemes were wise or not; but what I opposed was, any new scheme of representation which was to supersede the Reform Bill. Sir, I must confess that, generally speaking—and my hon. Friend may take advantage of that declaration if he likes—that with regard to great measures that have been under the consideration of Parliament, whether you speak of the Reform Act of Lord Grey, whether you speak of the Roman Catholic Relief Act, whether you speak of the Repeal of the Corn Laws which has only passed the other day, I hold that it is wise in this House, it is wise in Parliament to rest satisfied with the settlement which has been made after long deliberation by the Legislature; that there is not a gain to be acquired by the people equivalent to the stirring up of agitation consequent on the revival of subjects which have been once settled by the deliberations of Parliament. But now, with regard to the Factories Act: I have already stated what I think should be the latitude allowed by persons who in the present day meet together in a Cabinet. I have given my vote in favour of shortening the hours in factories. I stated, I believe, on the last discussion upon that subject, that if we went into Committee I should be in favour of shortening the time to 11 hours by law. If such a measure is introduced again, I shall give my vote in conformity with those that I have previously given. My right hon. Friend the Home Secretary (Sir G. Grey), is, I believe, of the same opinion; every sentiment I have ever heard from him agrees with my opinion upon that subject. My right hon. Friend who sits near me, the Chief Secretary for Ireland (Mr. Labouchere), has studied the subject likewise; he has studied it very attentively; he has formed a deliberate and conscientious opinion that such a law would be injurious. Sir, I do think that an Administration can be carried on usefully with regard to the general interests of the country, usefully with regard to many topics of administration, and yet not have identical views upon this question of the factories. I mean to give my vote in favour of such a Bill, if introduced. I shall not expect my right hon. Friend who sits near me, or others who differ from me, to make their opinions bend to mine upon that subject. Sir, I have now stated, I believe, what are my opinions with regard to the questions that the hon. Gentleman the Member for Finsbury asked me. He has mixed with those questions a great deal of pleasantry, in which I certainly have been unable to follow him. I consider that I have undertaken a very grave and deep responsibility. Not being able to make up my mind that the Protection of Life Bill, introduced by the late Government, would be efficient for its purpose, or that it would contribute to the protection of life in Ireland, I felt myself compelled, being asked whether I would agree to that Bill, to answer "No" upon the second reading. I was compelled to

decide one way or other upon that question; it was brought forward by the late Government; they considered it their duty to bring it forward; I could not avoid my duty in forming an opinion on it, and acting according to the best of my judgment. The right hon. Baronet at the head of the Government resigned; and after having given that vote, after having been a party to that decision, when Her Majesty called upon me to endeavour to form a Government in the place of that which had resigned power into Her Majesty's hands, I conceived that it was my duty to endeavour to see if, in conjunction with others, I could carry on public measures for the benefit of the country. On Monday next I shall have the opportunity of stating to this House the measure that we propose to introduce with respect to a very important subject; that measure will be founded upon the opinions which I have stated from 1841 to this time upon the subject of free trade—upon the subject of restrictive duties. It will be for this House to consider whether that measure be suited to the interests of the country; it will be for this House to consider whether there are any reasons which will induce them to withhold their approbation from that measure. But this I am determined upon—as I told the hon. Gentleman the other day, and taking no offence I must tell him plainly and decidedly, I will act according to the principles that I have professed in this House—according to the principles upon which I acted when I sat on the opposite side of the House, and upon which alone I could consent to take office at any time. I am determined, whether I sit on this side of the House or on the other, to act according to those principles which I think the most for the advantage of the country. I have now been for more than thirty years a Member of this House, proclaiming and declaring my opinions on almost every occasion; and I do not think that my principles need now be any secret to the House. They are principles which, as I think, tend to increase the commerce, to set free the industry of this country, to promote the union, not merely by a legislative Act, but in heart and affection, between this country and Ireland: My opinions are such as tend, as I think, to promote, to maintain, and to extend the principles of religious liberty, which, together with its civil liberty, have made this country conspicuous as one of the greatest nations of the world.

MR. B. OSBORNE, although not participating in the criticism passed by the hon. Member for Malton (Mr. E. Denison) upon the formation of the present Government, did not think the noble Lord had done justice to the objection taken by that hon. Member. With regard to the questions put by the hon. Member for Finsbury, the House and the country were under great obligations to him for having been the means of eliciting the declarations now made by the noble Lord. What might be the effect out of the House of those declarations on the subject of the policy to be pursued towards Ireland, he (Mr. B. Osborne) was not prepared to state; but he must distinctly tell the noble Lord, that if those declarations had been made when they (the Ministerial Members) sat on the opposite benches, a considerable portion of those who now sat behind the noble Lord would have followed the right hon. Baronet at present out of office. For the life of him he could not see what difference there was "'twixt Tweedledum and Tweedledee." The noble Lord had always led those who voted with him to suppose that the great point of difference between the parties was "the Appropriation Clause" of 1836; but now he had announced that he would give Ireland some few social reforms, but would not touch the question of the Irish Church, at least until the "pressure from without" was so strong as to compel him. Why, if the noble Lord would do it on the ground of abstract justice, why not say at once, "The principle of my Government is to reform that Church?" He agreed with the noble Lord in not wishing to destroy it; but in its present condition it was a disgrace to the country; yet the noble Lord, on taking office, had discovered that it was not a pressing question. In fact, the old game of the Appropriation Clause was about to be played again. He must say that he looked back with considerable pain to the effect of his vote the other night in turning out the late Government, apparently merely to change one set of men for another, the former also being very able men, for the late Chancellor of the Exchequer and Home Secretary were men not to be equalled in their conduct of public business. It seemed now that there was no difference of principle between the two Cabinets; that they had always agreed; and there might even be some understanding "under the rose," to walk across the House for a time, and then walk back again. Why, the more honest proceeding would have been for the noble Lord to take

office under the right hon. Baronet. All questions, it seemed, were to be open questions—the Cabinet were agreed upon none, except the thorough drainage question. They had resolved themselves into a set of commissioners of sewers. But the country had a right to look for something more than a few sanatory regulations from the Government. He would give them an early opportunity of testing their sincerity upon the subject of the Irish Church, by moving the resolution formerly brought forward by the hon. Member for Sheffield (Mr. Ward), whose appointment to office ought to be hailed with unmitigated pleasure, and would very much conciliate those who might be called "of extreme opinions." There was also another very judicious appointment, on which he could compliment the Government, and which had greatly induced the support of the Repeal party in Ireland; for the noble Lord had exercised a wise discretion in departing from his former rule of excluding from office Gentlemen who entertained repeal opinions. But the vote by which the late Government were thrown out was to a certain extent discreditable; for the new appointments comprised men who in the other House had supported the Coercion Bill, and who, according to the uncontradicted statement of a noble and learned Lord, had called on the late Government for even more stringent measures. The Gentleman worst used in the whole business was the right hon. Baronet the Member for Tamworth. He was always given to understand that that right hon. Baronet was the great upholder of abuses, and that the noble Lord was to be looked to as his great opponent and rival; he had now found out his mistake; and he would say that the parting speech of the right hon. Baronet, in which he had signified that he would no longer "give up to party what was meant for mankind," held out great hope for the future government of this country. He (Mr. B. Osborne) knew not whether the right hon. Baronet contemplated ever returning to office—power he had never quitted; but if he was prepared to carry out the principles indicated in that parting speech, he must at no remote period be returned to office with the confidence and support of the middle classes of this country.

Mr. HUME, referring to his Notice on the Paper, of a Motion for an Address to the Crown for a Commission to inquire whether the Government of Ireland, under its present form, ought to be continued, or whether the Lord Lieutenant and other officers might not with advantage be dispensed with, wished to ask the noble Lord whether he were prepared to take the subject into consideration, or to give any opinion, or hold out any hope on the subject. After what had passed, he was anxious to let the noble Lord be tested by his future acts, and not to press the matter hastily upon him; but really Dublin Castle was the focus of faction, and caused more mischief and differences than any one would suppose. Ireland, indeed, was afflicted with all the vices attending colonial government, and the abolition of this office would be one of the first steps towards improving the social condition of Ireland.

Lord J. RUSSELL could only say, in answer to the question, that his present opinion was, that the Government of Ireland could not be advantageously carried on, if the office of Lord Lieutenant were abolished.

Mr. B. ESCOTT submitted to the hon. Member for Finsbury that the noble Lord at the head of the Government was no new man at all. In the course of the last two Sessions of Parliament he (Mr. Escott) had felt it to be his duty to consider pretty closely the conduct of the noble Lord, and he had observed that upon all the great questions which had come before that House, not only had the noble Lord given a distinct enunciation of his own opinions, but an enunciation of opinions which he believed to be such as were in accordance with the general opinion of the people of this country, and also in accordance with the true interests of the people. He should be inclined to say that the conduct of the noble Lord in the present Session, both as regarded the great question of free trade in corn, and other measures of vital importance, entitled his Government, at all events, to a fair trial, and a candid consideration, at the hands of the House. But if there was one reason more than another which would induce him (Mr. Escott) to give a fair trial to the Government of the noble Lord, it was the vote of the noble Lord upon the Irish Coercion Bill, which was the immediate cause of the eviction of the late Government. He, for one, had followed that Government with respect, and watched their political measures always with attention, and generally with admiration; but if ever there was a blunder committed by any Government in this country, it was committed by them when

they endeavoured to force upon the House of Commons, in the year 1846, a Coercion Bill—such a Bill as destroyed the Government of Lord Grey thirteen years ago. He, therefore, honoured the noble Lord for the opposition he had given to the Government on that question; and he said that this was not the time when comparisons ought to be drawn between the late Government and their successors, to the disparagement of the noble Lord, on account of that or any other vote which had been mentioned. In some of the observations which the noble Lord had made to-night, he undoubtedly could not profess entire acquiescence. The task which the noble Lord had to perform was, he admitted, very difficult. He had to allude to the state of Ireland, which had been the destruction of the late Cabinet; and he knew that if he at once propounded those measures which he in his conscience believed at that moment to be necessary for the salvation of that country, and for the future peace of the United Kingdom, he would himself destroy whatever amount of power he now possessed to carry his intentions into effect. He hoped that in his future administration the noble Lord would take care to avoid that which had been the stumbling-block of former Whig Governments. Why was it that former Whig Governments had been Governments of professions and promises rather than of performance? It was because they had frightened the people of this country by announcing principles which were new to the nation, and thereby stirring up a spirit of resistance. Instead of enabling the Government to carry great measures, the announcements had disabled them from carrying into practice the benevolent intentions of their own hearts and the wise suggestions of their own political principles. What was it that had given the Government of the right hon. Gentleman its extraordinary advantage over those who now occupied the Treasury bench? It was that for many years before the right hon. Baronet belonged to a party which had not made those professions. The very fact that he was called "a traitor" by those who now sat opposite, was an explanation of the source of that power which had enabled him to benefit the country. The right hon. Gentleman had never frightened the Conservative people of England by announcing principles for which they were not prepared—it was because he waited until the time had come when the principles which others had announced could be practically carried into execution, that he was, what he would ever be remembered for, the great practical reformer of the age in which he lived. He hoped the noble Lord would follow the right hon. Barenet's example; that he would himself proceed from little beginnings to greater undertakings, until he had raised for himself the same name, and that high character which he had in a great measure already anticipated in the speech he had just delivered to the House; and also that he would find no improper resistance from the representatives of the people in carrying into effect great and useful reforms for their benefit. In so doing he would combine the character of a Conservative and a reforming statesman, and act consistently with the progress of the times in which he lived, and the requirements of the people whose affairs he was called upon to administer.

MR. WAKLEY said, that for some time past he had been puzzled, but now he confessed that he was regularly bewildered. His hon. Friend and Colleague (Mr. T. Duncombe), who had made a speech to-night so admirable in itself and so well suited to the occasion, called upon the noble Lord to state in definite, distinct, and easily understood terms, the principles upon which his Government was to be conducted. It was a strictly correct Parliamentary proceeding. It was just. It was applicable to the occasion. It was due to this House that it should be done by somebody; and it was due to the country that an answer should be given clearly and effectually. The noble Lord in the course of his reply alluded to the vague mode in which his hon. Friend mentioned an extension of the suffrage; but the noble Lord seemed to forget at the time the very vague and indistinct terms in which he himself was answering the questions of his hon. Colleague. "But," said the noble Lord emphatically, "why should I declare to the House and the country the principles upon which my Administration is to be conducted? I am going to act upon the principles which have always regulated my conduct. I have been in Parliament thirty years. My principles are well known to the House and the country, and upon those principles I shall act." Well, they were the old Whig principles. He (Mr. Wakley) had had some experience of them. He would not say anything particular about them at this moment, how-

ever; but during the time those principles were in operation, when Whig Administrations were in existence, what was his hon. and learned Friend (Mr. Escott) doing? Why, if there were one man who was a more vehement opponent of the Whigs than another throughout the west of England, or who was a more effective or more eloquent opponent than another, that hon. and learned Gentleman was the man. When the farmers used to meet in the west, they asked, "Who shall we have here to abuse the Whigs?" "Oh," was the reply, "send for Escott; he will do it. Send for Bickham. Where is he? Find him out, and we will give 'em the most terrible thrashing and belabouring that they ever had." Why, the hon. and learned Gentleman was the life, and soul, and spirit of all the Anti-Whig parties which for a series of years were held throughout the west of England. Well. then, who had changed? What was the meaning of this? He confessed that he could not comprehend it. The noble Lord said, "My principles are well known;" and without stating specifically what was to be done, he said, "I shall adhere to those principles, and my Government will be regulated by those principles;" and the hon. and learned Gentleman, the great Anti-Whig, was delighted! Surely then there was some curious change somewhere. Now, he must say that he quite agreed with those who wondered why it was the right hon. Baronet was out of office. The answer was, because he brought in a Coercion Bill. Yes; but what had the Minister done who had taken his place? Why, the first thing he did was to ask the noble Lord who brought in that Bill to take office. The first thing he did was to go to Lord Lincoln and say, "Will you take office with me?" He again said, that this was a species of bewilderment. He contended that a little more pressure should be placed on public men, The noble Lord's speech of to-night ought to have been made a month ago; had it been, he would not have had the trouble imposed upon him of subsequently crossing to the opposite side of the House. The public out of doors were extremely puzzled to ascertain why it was that the right hon. Baronet the Member for Tamworth was not now in his place at the head of the Government. They saw that, at great personal sacrifice, with the loss of old friends, at the sacrifice of political power, and immense personal sacrifices, he had proposed and carried a measure which in his conscience he believed to be for the good of the community. The right hon. Gentleman could not be charged with any corrupt motives. That was quite out of the question; but for carrying that measure the right hon. Gentleman had lost his place at the head of the Government. Well, were the principles which were to regulate the present Government the same that regulated the Government of the right hon. Gentleman? If they were, why he again asked, had any change been made? He would now, as an old reformer, tell the noble Lord, unhesitatingly, that his speech was by no means satisfactory. If a Minister intended to carry measures, he ought to have the boldness to announce his intentions. He believed that the noble Lord had that boldness. What, then, was to be inferred from his silence? Why, that there were no great measures which it was the noble Lord's intention to carry for the benefit of the people of this country. He was compelled to entertain that belief, because, from the candour of the noble Lord's character, and from his public spirit, if he had such intentions, he was confident that the noble Lord would have unhesitatingly made them known. With reference to the Church of Ireland, he feared that the speech of the noble Lord would be most unsatisfactory in that country. The noble Lord feared to propose measures which he could not carry. That was not becoming a great mind. The noble Lord should encounter difficulties; he should be prepared to encounter difficulties; for there was no credit whatever in merely carrying measures which were to be supported by a convenient majority, always ready to follow at the tail of the Minister of the Crown. If the noble Lord had intended to introduce a reform in the Church of Ireland that would give satisfaction to the Irish people, he would have made a declaration to the House to that effect; but as no such declaration had been made by the noble Lord, he inferred the very worst from the indistinctness with which the noble Lord had spoken on that subject. In fact, the noble Lord had stated that he did not at present intend any change with reference to the Irish Church. What did the hon. Gentleman the Secretary to the Admiralty (Mr. Ward) say? That hon. Gentleman was now in the Government; but he recollected the discussions which took place in this House in the year 1835 upon the Appropriation

Clause in the Irish Church Bill. Was there, then, he asked, to be a change in regard to that Establishment which would give satisfaction to the minds of the millions of Ireland? The present Government held out no such prospect; and again he said, therefore, that he was utterly at a loss to understand why it was that the right hon. Gentleman (Sir R. Peel) had left his place in the Cabinet, and given up his situation to others who were scarcely prepared to carry out the liberal principles which the right hon. Baronet professed in the last speech that he delivered in that House. On all such occasions as this the public had a distinct right to comprehend what were the ruling principles of men in power. At that moment, Sir Robert Peel was the most popular man in the kingdom. He was beloved, he was almost adored by the masses, who believed that no Minister before him had ever made such sacrifices as he had made on their behalf; and he could assure the noble Lord and the present Administration, that if they did not act upon the principles which the right hon. Baronet laid down in the speech he last addressed to the House, their continuance in office would be but for a very short period. He lamented the course which the Government seemed inclined to pursue—that apathetic and do-nothing course which obtained so much odium for them when they were in office before, and deprived them of the confidence of the people. If the noble Lord and his Colleagues adopted the old course, they would share a similar fate, and Sir Robert Peel would return to power upon the shoulders of the people, and would remain there just as long as he pleased.

MR. NEWDEGATE said, that as no county Member had risen to address the House, and after the pointed allusions made by the hon. Member for Malton (Mr. E. Denison) he should perhaps be excused for saying a few words. Among the many county Members whom he had met, he had heard no complaints with regard to the constitution of the present Administration, as not comprising Members who were connected with the landed interest of the country. For himself, he believed that the landed interest had learnt so bitter a lesson, that they were determined henceforth to act for themselves, to guard their own interests, and to trust rather to themselves than to any Administration. The hon. Member for Finsbury lamented that the noble Lord had not made larger promises, and said that he failed in comparison with the right hon. Baronet lately at the head of the Government, because his professions were not so ample. The hon. Member said that the right hon. Baronet professed and acted upon his professions; but he (Mr. Newdegate) begged to observe, that had that right hon. Gentleman always acted upon his professions, and adhered to the principles that he had long enunciated, he would not have forfeited the confidence of those who now had to lament the loss of his great talents and great power. He (Mr. Newdegate) professed no confidence in Her Majesty's present Government. He stood there an independent Member of Parliament, to guard the interests of those who had sent him there. He thought the noble Lord could not congratulate himself upon the support he had received from the hon. Gentlemen who were lately in power. They had not shown such a disposition to give him fair play as had those who were by their principles and professions perhaps his most determined opponents. He could not say that he thought the right hon. Baronet (Sir R. Peel) gained much by the praise he had received to-night. It was all based upon the principles announced in his last speech in this House; and he regretted to say—for he felt no personal animosity towards that right hon. Baronet — that if any speech or declaration had ever utterly shaken the confidence of this country in the right hon. Baronet, it was that memorable speech; and he thought that the fact of the adherents whom the right hon. Gentleman gained by it being those who professed extreme opinions, and advocated ultra changes, was the best justification of the course adopted by the party with which he acted in giving a firm, consistent, and successful resistance to the right hon. Baronet's longer continuance in office.

MR. WARD hoped, that as he had been pointedly alluded to in the course of this discussion, he might be permitted to address a few words to the House. He believed that even the hon. Member for Finsbury would admit that he had never concealed his opinions with reference to the Irish Church question, in order to obtain the position in which it had pleased the noble Lord at the head of the Government to place him; and he could assure the House that he did not mean to conceal them for the purpose of retaining that position. Hon. Members would recollect, that at a time when none of those visions of office floated before his eyes, he had stated distinctly his conviction that the so-

cial grievances of Ireland were the most pressing evil that the Legislature had to deal with; and that, although the Irish Church question was one which no English statesman could lose sight of, and with which, eventually, any Government in power must be prepared to deal, he thought that other questions stood first as claiming the attention of the Government. Having twice brought this question of the Irish Church before the House, and been twice defeated upon it, every Irish Member in the House was aware that it was not his intention to bring it forward again in the course of the present Session; but whenever it came before the House again, his hon. Friend (Mr. Wakley) would find that he had not changed upon the question.

MR. HORSMAN said, that there had been several speeches criticizing the constitution of the Government, and censuring the character of the noble Lord. He could not reconcile those remarks with his sense of justice. In his opinion, when the noble Lord, in reply to the hon. Member for Finsbury, said he had no new principles to profess, and when he referred the House to his previous career, he gave the answer most becoming to himself, which conduced most to the honour of the House, which was most intelligible to them, and gave the most security to the country. The noble Lord had shown no anxiety to obtain office; and the circumstances under which he took office eminently entitled him to the considerate indulgence of the House. The hon. Member for Malton had criticized severely the constitution of the Government; but he could not agree with that hon. Member. In the first place, it was a Government in accordance with the principles which he professed; in the second, he had the most perfect confidence in the noble Lord at the head of the Government; and thirdly, the construction of the Cabinet, as regarded its subordinate offices, was so judicious as to give the fullest confidence in the whole Administration. He believed it was the opinion of ths people of England, who were a just and generous people, that if the Government was to be conducted on the principles of the noble Lord, it was fit and proper that it should be entrusted to his hands, and he had no doubt that that Government would be so conducted as to lead to the most useful results.

MEASURES FOR IRELAND.

The EARL of LINCOLN wished to ask the right hon. Gentleman the Secretary for Ireland a question with reference to some Bills relating to that country. The noble Lord had stated what course it was the intention of the Government to pursue with reference to those three Bills which related to the law of landlord and tenant in Ireland, and he had further stated that the right hon. Gentleman would be ready to give an explanation as to other Bills relating to Ireland. There was one Bill with respect to which, notwithstanding the lateness of the Session, it was, he thought, of some importance that the right hon. Gentleman should state the intentions of the Government—that was the Valuation of Rateable Property (Ireland) Bill. The right hon. Gentleman was, he believed, aware that a Bill upon that subject had passed through the House of Commons last year, and was thrown out in the House of Lords. During the time that he held office, he had endeavoured to reconcile those difficulties that had led to its rejection; and he believed that his efforts had been successful. He had every reason to believe that if the Bill which he had prepared were pressed forward by the present Government, it would become the law of the land without any of the difficulties to which he had adverted intervening. He might add, that great convenience would result to the country if that Bill were passed. He should be glad, then, to know whether it were the intention of the right hon. Gentleman to proceed with that Bill.

MR. LABOUCHERE was much obliged to the noble Lord for giving him an opportunity of explaining the intentions of Her Majesty's Government with respect to a Bill which was one of great importance, and one which he was aware the noble Lord had given his best attention to in drawing up, which, therefore, ought not to be dropped without bringing it before the House. He was happy, then, to assure the noble Lord that it was the intention of Her Majesty's Government to proceed with that Bill, which was a most useful and important Bill. There were many other subjects of legislation relating to Ireland, with regard to which he might take that opportunity of stating the intentions of the Government—he referred to the Bills which had been introduced by the noble Lord. First, there was the Ejectment and Distress Bill: they intended to proceed with that; aad next with the Leases (Ireland) Bill. They would, however, introduce some modifications into that Bill. Next

they would proceed with the Rateable Property Bill, which was the measure to which the noble Lord had just referred; and also with another which was called the Mandamus and Prohibition Bill. The fifth measure with which they would proceed was the Exclusive Trading Privileges Bill. With regard to that Bill, perhaps it was convenient that he should say he was inclined entirely to agree with the principle of it; but upon attentive consideration which he had given to the subject, he fonnd there was a grave objection to the manner in which the noble Lord proposed to carry that principle into effect. He (Mr. Labouchere), then, proposed not to withdraw the Bill, but to introduce another Bill which would not be liable to the same objection which attached to the Bill of the noble Lord. At all events, as they had the same common object in view, the two Bills would be before the House together; and he was sure, from the manner in which the noble Lord had assisted him with respect to the Irish business, they would find no difficulty in discussing those two Bills together; and the House could determine which was the better of the two courses proposed in order to carry the object in view into effect. With regard to the Landlords and Tenants Bill, his noble Friend had already stated that it was a matter of such great importance, that although they entirely agreed as to the main principle of the Bill, yet there were such difficulties about the machinery by which the noble Lord proposed to carry the principle into effect, and he also had such doubts even about the manner in which the principle was introduced into the Bill, that he was led to take a few days to consider before he announced the intentions of the Government with respect to it. As to the Clerks of the Crown Bill, he would also state in a few days what course the Government intended to pursue relative to it. With respect to the rest of the Irish business for the Session, his noble Friend had already stated that upon the very important subject of waste lands they were considering whether, late as the period of the Session was, they ought not to consider it to be their duty to propose some measure to facilitate the introduction into Ireland of some scheme with regard to that important subject. If upon any other subject relating to Ireland it might be thought right to introduce any other measure, his present declaration was not to be taken as precluding the Government from so doing. He trusted he had satisfied the noble Lord with respect to those Bills of which he had had the conduct.

POOR REMOVAL BILL.

On the Motion that the Order of the Day for going into Committee on the Poor Removal Bill be now read,

MR. P. BORTHWICK said, that when he had given notice of his intention to move that this Bill be referred to a Select Committee, his object was not to take into consideration the provisions of the Bill, but to avail himself of every means which the forms of the House put in his hands of altogether destroying its provisions, because he thought them most injurious to the country. The right hon. Gentleman the Secretary for the Home Department had, however, informed the House and the country that the present Government intended to submit to the House that part only of the Bill which affected removability, which would leave it pretty nearly as it had been introduced by the right hon. Gentleman the Member for Dorchester, when Secretary of State for the Home Department. Under those circumstances, with the object he (Mr. Borthwick) had had in view, he should withdraw the notice he had given, in order to enable the Government to go into Committee on the Bill, at the same time expressing a hope that the right hon. Baronet would not now insist upon practically going into Committee on the Bill even in its present shape, but only *pro formâ*, and that the right hon. Gentleman would afterwards give them the Bill in the shape in which he intended it to become the law of the land. If the right hon. Baronet would give him an assurance of that kind, he would do everything in his power to support him in carrying the measure.

SIR G. GREY rose for the purpose of moving that the Speaker do leave the chair; and he should take the opportunity afforded by that Motion of stating the course which the Government, upon mature consideration, had thought it right to adopt, with regard to the Bill for amending the law relating to the removal of the poor. With reference to the observations which had fallen from the hon. Member for Evesham (Mr. P. Borthwick), and also to the opinion expressed by several hon. Members, both yesterday and that day, that the House should not be called on now to consider in detail the several clauses of the Bill, but that he should now move

that the House resolve itself into Committee *pro formâ*, in order that the clauses might be revised, and the Bill put into the state which the Government proposed, he felt that there were strong grounds for adopting that course, especially as alterations would be necessary, even with respect to those clauses the substance of which they proposed to retain. He had, therefore, no objection to consent to that course. He had abstained from making any observations with regard to what had been stated by the hon. Member for Malton, not from any want of respect either for the hon. Member or the House, but because he had felt it desirable that this subject of all others should be considered separately and apart from those miscellaneous and exciting topics which, within the last two hours had engaged the attention of the House. He knew that the opportunity would be afforded him of fully stating the views of the Government on the subject; and, feeling the importance and complexity of the subject, he had wished to keep it distinct from any of those other topics which were brought under discussion on the Motion that the Order of the Day be read. He had stated he felt the difficulty and complexity of the subject; and he must confess that not only was it of an involved and complex nature, but that the very suggestions made for the alteration of the law on the subject, and the various unsuccessful and conflicting attempts which had been made within the last few years to amend the law, rather added to the difficulty of dealing with it, than cleared the ground of former difficulties, and left it open for any simple remedy that could be applied to the law of settlement. Those attempts had all been made in a spirit of kindness and regard for the interests and welfare of that large portion of the community to whom the Bill especially related. The right hon. Gentleman who had preceded him in the office which he had now the honour to hold, in introducing the Bill in the year 1845, had stated that one-tenth of the population received relief, and that the most anxious attention and deliberation ought to be bestowed by the House upon a subject in which the feelings and interests of so large a portion of their fellow subjects were so deeply concerned. He felt the vast importance of the subject, and how much it concerned a class of the community for which the House ought to have an especial regard; and whatever differences of opinion there might be as to the remedies that ought to be applied to the existing defects in the law, the subject, he had no doubt, would receive patient attention and dispassionate consideration on the part of the House. Though opinions might differ as to the remedy to be applied to the defects in the law, there was agreement, however, upon one point—namely, that modification of the existing law of settlement and removal was indispensable. It was hardly necessary he should now advert to the various proposals which had been made and rejected or withdrawn. It might be right, however, to advert to the existing state of the law. At present, a man who had acquired a settlement in early life in a parish in England, and who, either attracted by the demand for labour, or from any other cause, migrated to a distant parish, might exercise his industry and calling for many years in the parish in which he laboured, without obtaining a settlement in that parish; and here he might call to mind that the facilities which formerly existed for obtaining settlement by hire and service no longer existed. The number in consequence had been very materially increased of persons, who, though they had, in the prime of their life, by the exercise of their honest industry promoted the prosperity of a town, had failed to obtain a settlement in that town, and who if, from any misfortune, such as sickness or infirmity, they became chargeable as, and fit subjects for relief under the Poor Law, had to look, not to the place in which they had been long established, but to that from which they had originally migrated. Relief might be given, certainly, in parishes where a settlement had not been obtained—in the case of the casual poor; but in other cases relief was given accompanied by an order for removal to the parish where the settlement was found to exist. The consequences of that system had been forcibly stated by the late First Lord of the Treasury, in his speech in the early part of the Session, when he announced the commercial policy he proposed to submit to the House, and in which he had adverted to the series of measures with which he proposed to accompany that policy. The right hon. Gentleman had stated, in strong terms, the inconveniences and hardships resulting from the existing state of the law, and described the migration which took place from the agricultural to the manufacturing districts, at times of manufacturing prosperity—that

families became established in their new place of abode, habits underwent a change, old connexions were broken up, and new associations formed, and a large term of their life was spent in the manufacturing districts, much of the prosperity of which was to be ascribed to the industry, the skill, and energy of those people. But then came the reverse of the picture. A period of manufacturing depression arrived; there might be a period of sickness or state of life which rendered a man less fit for his occupation, or he might have the misfortune to be thrown out of employment, and thus become chargeable upon the fund applicable to the relief of the poor; and the consequence was, an order for removal was applied for, for no other course was open to those who had the administration of the fund but to remove the party to the parish where he had a settlement, after many years had elapsed since he had left, and he had become incompetent to perform the labour by which alone he could maintain himself in the parish to which he was removed. That was a state of things which the right hon. Gentleman had justly stated was shocking to the feelings of every just and humane man, and for which the late Government proposed to introduce a remedy. A Bill had been brought in for the purpose; and, as it was originally proposed, it was limited to two principal points. The first part of the Bill was that which altered the existing law, giving to those persons who had lived in a parish for a period of five years a right to relief from the parish where they had resided. It provided that, after residence for five years next preceding the application for relief, the pauper should not be liable to removal, but should be entitled to relief from the parish in which he had so resided. There were other points to which he (Sir G. Grey) should advert subsequently; but this portion of the Bill, which established the irremovability of paupers under these circumstances, was the principal. The other part of the Bill related to the trial of appeals and the form of procedure. A third part was added in Committee, in consequence of the Motion of the hon. Member for Malton, in which a principle previously abandoned in connexion with the Poor Law was again recognised and adopted by the Government, namely, that of union settlement. It had become the duty of Her Majesty's Government, under these circumstances, to consider well what were the steps they should take in reference to this measure; and accordingly, upon the fullest consideration which they could give the subject, looking at the difficulties with which the law of settlement was beset—looking at the difficulties which surrounded the subject of union settlements—and considering also the late period of the Session at which the House had arrived—taking all these circumstances, therefore, into consideration, they had concluded that it would be hopeless to attempt to deal with the Bill, as a whole, in the present Session of Parliament; and feeling that it could not be adequately discussed in the few remaining weeks which they would have to sit, they felt that it would not be dealing fairly with those whose interests were the most deeply involved in the question, if they pressed it to a final settlement before the conclusion of this Session. They proposed, therefore, to abandon the portion of the Bill relating to union settlement for the present—not to abandon the principle, but to wave it for the present Session. His noble Friend had stated, that he should move for a Select Committee on the subject of settlement in the next Session of Parliament—a course which would greatly facilitate the adoption of some improved measure, and render the temporary relinquishment of the principle of no injurious consequence. It had then become a question whether it would be right to take any further steps with the existing Bill, or whether it would not be better to let it stand over also until the next Session of Parliament. Upon that question, however, the Government had come to a different conclusion from that at which those hon. Gentlemen who now cheered, had arrived. They felt that, looking to the expectations that had been held out on this subject; to the announcements which were made by the right hon. Baronet, late the First Lord of the Treasury, at the commencement of this Session; and to the benefit which would be derived immediately by a very large class of the community, from the partial alteration of the law involved in the first part of the Bill—they felt it was their duty not to abandon the Bill altogether; but that they should invite the House to affirm the principle of irremovability; leaving the question of settlement, which he admitted was intimately connected with it, to be more satisfactorily dealt with next

Session. They determined to proceed with the first part of the Bill, conferring the privilege of irremovability on persons after a residence of five years. The clauses to which they proposed to ask the House to agree, were the 5th, 6th, 7th, and 8th Clauses of the Bill as amended in Committee. The 5th Clause enacted that "no widow residing with her husband at the time of his death shall be removable for twelve calendar months after his death from the parish in which he died." The House would perceive that this clause applied not merely to widows of persons who were themselves irremovable from their period of residence in a parish, but to the widows of all persons, whether removable or irremovable on that account. The 6th Clause provides, that "no child of any person, or of the wife of any person, legitimate or illegitimate, under sixteen, residing with the father or mother, shall be removed in any case where the person himself may not lawfully be removed;" and the 7th Clause, which it was also proposed to retain, though with some alteration, provided that, irrespective of the term of residence, "persons shall not be liable to be removed owing to any accident that may disable them for a time, and render them chargeable, with a prospect of soon being able to regain independence by their honest industry." The Bill as they intended it should stand, would enact, that if paupers fell sick, or met with an accident in any parish, they should be relieved in that parish where the sickness, or the accident occurred. If, however, the sickness turned out to be of a permanent nature, then it was not intended to impose a permanent burden upon the parish where the cause which incapacitated the pauper for work first took place. In such cases the old settlement of the pauper would be revived. He had stated the proposition respecting the right to relief at the end of five years, and he had not forgotten that amongst other Notices which stood upon the Paper, there was one for altering the five years into three. Now, he was not prepared to say that, under all circumstances, three years were not preferable to five — he should not say five years were the best possible period; but, looking at the precedent which the Scotch Poor Law afforded, he did think that it afforded some sanction for the course which they had resolved to adopt. Doubtless the effect of this plan might be to throw a heavy additional burden upon some of the great manufacturing towns. It was one, however, which he believed they were not unwilling to bear. But he thought it was right to proceed cautiously, rather than excite needless alarm and opposition by proposing too much. He was quite ready to admit that the effect of the measure then before the House, was not to leave the law of settlement wholly untouched. The law of settlement and the law of removal could not be kept entirely asunder. The Bill before them, however, was a mere temporary suspension of the existing law of settlement in the particular cases to which it referred. It might be as well if he were here to advert to the term "residence" used in the Bill, and which he had been asked to define. He felt that it was scarcely necessary that any attempt should be made to define that term—it ran through all Bills of the same description, and it might be no easy matter to supply in words a definition that would give entire satisfaction; but there was, generally speaking, a very good practical definition in use in Westminster Hall, and that would perhaps supersede the necessity of introducing any definition into the Bill itself. With regard to the second part of the Bill—namely, that which embraced the trial of appeals, the execution of orders of removal, and the alteration in the forms of procedure, the Government were of opinion that it was not intimately connected with the first part of the measure; and, therefore, that it might be postponed without any difficulty. These questions were contained in a series of clauses, which, if proposed to the House, it was felt would lead to a long discussion; and, perhaps, without any satisfactory results. The effect of the adoption of the first part of the Bill would be to relieve a large class of persons from the operation of orders of removal, while it would, as a matter of course, make questions on forms of procedure much less frequent than they were previously and at present. With regard to the second part of the Bill, therefore, the Government were prepared to adopt the same course as it had adopted with respect to the law of settlement, namely—to postpone its further consideration until both questions were in a position to be settled together and at the same time. There were two clauses of the Bill on which he wished to say a few words. The 11th Clause imposed a penalty for fraudulent removal. If the House assented to the first part of the Bill, he thought that they ought not to re-

fuse to sanction a provision for punishing fraudulent removal — for punishing parties who fraudulently and unlawfully induced poor persons to remove from parishes to which, if they did not remove, they might become chargeable. The 13th Clause had reference to the delivery of paupers by one set of parish authorities to another. It had been held that the deposit of the poor within the boundary of a parish constituted a sufficient delivery. [An Hon. MEMBER: That is not the law.] It might not be the law; but doubts had arisen with respect to the matter, and it was thought that the best course would be by an express enactment to put an end to all doubts on the subject by declaring that placing paupers within the limits of the parish should not constitute a delivery; that nothing less than conveying them to the workhouse should constitute a legal delivery. Whatever might be supposed to be the law, this enactment would put an end to all doubt on the subject. He was not aware that it was now necessary for him to say anything more as to the course which the Government intended to pursue. He did not offer the Bill as a complete measure; but it applied a remedy to that which every one admitted to be a great existing hardship. It certainly would throw some burden upon the great towns; but he ventured to believe that the representatives of those populous places would be willing, in the names of their constituents, to assume their fair proportion of the burdens of maintaining the poor, especially that portion of the poor from whose labour the inhabitants of those towns had derived great and lasting benefits. Looking to the circumstances of increased difficulty in obtaining new settlements, he did think that when the inhabitants of those towns had derived vast benefits from the labour of the poor in their towns, they ought not to refuse a provision of the nature to which he was now referring. The Bill, he assured hon. Members, had been now submitted to them with an anxious desire to promote the welfare of the poor; and he trusted it would be received in the spirit in which it was intended, and he confidently hoped that the House would not refuse its assent to that part of the measure to which he now asked them to agree. He was not, he assured them, indifferent to the importance of those matters with which the other parts of the Bill proposed to deal; but he thought that under present circumstances, and considering the period of the year, it would be better to wave those portions of the measure until next Session. He should now move that the House do resolve itself into a Committee on the Bill *pro formâ*, in order that it might be recast and presented in a more perfect form. He concluded by moving that the Speaker do leave the chair, and that the House do resolve itself a Committee on the Bill.

SIR J. PAKINGTON approved of the course taken by the Government upon the occasion; and he thought they acted wisely in postponing, at this period of the Session, that part of the Bill which related to the trial of appeals. At the same time he felt bound to state that the present system of trying appeals at quarter-sessions was most unsatisfactory, very few of the cases which came before those courts being decided on their merits, but only on technical points; and he hoped, therefore, that the right hon. Gentleman would not lose sight of the great importance of the question in his future proceedings with respect to the Bill. What was most wanted was a simplification of the present mode of trial on appeals. On the remaining question, respecting the irremovability of paupers after residence, he was glad the Government had expressed its determination to persevere in the provisions of the Bill. The poor of this country had been led to expect great advantages from the principle, and he trusted that it would soon become the law of the land. He regretted, however, that the right hon. Baronet had seen fit to disregard the three notices which stood for a reduction of the period of residence to three years; but rather than lose the advantage which would accrue to the poor from the principle, he would consent to forego his own opinion, and adopt five years. He wished, however, that the three years had been adopted, and if he could reduce it to one year himself, he confessed that he would willingly do so. The law of settlement was a great hardship, and no part of the Poor Law system partook more of the character of what was justly condemned as "class legislation." It inflicted great hardships on the poor, for the immediate benefit of those who bore the burden of their support. He admitted that it would be difficult to expunge the law of settlement at once from the Poor Law system; but he believed it inflicted more real hardship on the poor than any other part of that system. All the authorities were in favour of three years;

and the right hon. Gentleman would find that even the Poor Law Commissioners themselves advocated it. He regretted to hear that the right hon. Gentleman intended to propose a clause which had relation to the removal of widows. An Amendment stood on the Paper in his name, the object of which was to make widows irremovable from parishes in which their husbands died. Every one who had studied the working of the new Poor Law was aware that if there was one enactment which bore harder on a particular class than another, it was the settlement clause in relation to its operation on widows. Those who were acquainted with the working of the new Poor Law knew it was not a matter of theory, but a matter of every-day occurrence, for widows to be removed to parishes where they had no friends or connexions, merely because it was their late husbands' legal settlement. Had these poor widows been suffered to remain in the parishes in which their husbands resided when living, they would in almost all cases have had the advantage of getting employment and assistance from persons by whom they were known. All those benefits the widow was deprived of by the operation of a harsh law which sent her to a distant part of the country where she was not known. It was not often he had the good fortune to agree with the hon. Member for Finsbury (Mr. Wakley); but he was of opinion that none had ever done greater service to the poor than the hon. Member did when he moved for a return of the operation of the law of settlement for the years 1841, 1842, and 1843. If the House looked at the head of the returns they would see the first case was that of a widow, who was removed to her place of settlement after a residence of thirty-two years in another parish. The next case was a removal after twenty-six-years' residence. [Sir G. GREY: Under the new law widows would be irremovable after a five years' residence. Such cases could not again occur.] He feared that the proposed new law would not meet all the hardships of the case. For instance, widows would be removable if they had a less residence than five years in a parish; and he very much doubted whether they would not be liable to be removed if the clause stood in its present form. He was not one of those who were in the habit of declaiming against the New Poor Law. He believed it was one of the best that could be devised for the benefit of the country, if fairly carried out. He did not mean to join the declaimers against the Poor Law, or against the Commissioners by whom that law was administered; but he did ask the right hon. Baronet to make this law as free from hardship and severity as was consistent with those great objects the law sought to accomplish. He hoped when the time came for discussing the Bill, that the right hon. Baronet would see the necessity and propriety of modifying the clause in question, and of excepting widows froms its operation.

MR. PACKE differed greatly from his hon. Friend who had just sat down in his views of the clause which conferred irremovability after a residence of five years. In the county which he had the honour to represent, the villages were peopled with persons who performed the principal part of the work which supported the trade of the neighbouring towns. The people worked in their own cottages, and took their work into the towns, to their employers, on Saturday night. The towns, therefore, derived all the benefit of the labour of these persons; but, as they did not reside in the towns, the burden of their maintenance, when they became sick or unable to work, would not fall, as it ought to do, upon the towns, but on the villages in which they resided. As regarded the counties of Leicester, Derby, and Nottingham, the rural districts would be ruined, if this clause of irremovability were passed. He objected, also, to the language of the clause, which conferred irremovability in respect of five years' residence. He had been a chairman of quarter-sessions for many years, and he saw such loopholes for quibbles on the part of counsel in the enactment of irremovability for five years' residence, that he thought that the discussions which would ensue would be almost endless. Whenever the Bill came before the House, he should think it his duty to oppose its progress.

MR. SPOONER did not agree in the view of the question taken by the hon. Member for Leicestershire (Mr. Packe). He did not think it a question of compensation to landlords, nor one which should be dealt with in relation to considerations of hardship on any particular parish. The only true ground to legislate for the poor was with the view of promoting their happiness and comfort. Justice to the poor, the enlargement of their comforts, and the maintenance of their rights, were the only grounds on which to legislate for them.

He considered it was a particular hardship for a man who had been attracted to a town in search of work, and who had got work for years there, to be passed back to his own parish, merely because there was a trifling falling-off in trade, or a temporary stoppage of work. It was true, the measure might to a certain degree increase the burdens of the manufacturing towns; but he was sure the manufacturers had no wish to be relieved from the burden of maintaining their poor. They recognised the principle, that where a man had laboured, he had a right to maintenance and support. His object in rising was more particularly to call attention to two clauses in the Bill, which he considered were susceptible of great improvement. The first clause related to the removal of widows to their husbands' parishes. He proposed that the power of removing widows without their consent should totally cease. Cases of extreme hardship frequently arose. A woman in a manufacturing town might be married to a man whom she met with there, who came from another and a distant part of the country; and, on the death of her husband, instead of being sent back to her native parish, where her friends resided, and where sympathy would be felt for her misfortunes, she was now liable to be removed to her husband's parish, where she would be an entire stranger—without friends or any of the associations of early life to alleviate her sorrows. The hon. and gallant Member for Brighton (Captain Pechell) had a notice of amendment, to the effect that it should be at the option of the widow to be removed. He approved of this plan, and he proposed that this option should be extended to all persons who came within the operation of the Bill. Such a provision was made the more necessary by a subsequent clause which imposed a penalty on overseers for giving directly or indirectly any assistance or inducement to a pauper to leave the parish in which he resided, in order to become chargeable to another; this clause he wished to have modified. It frequently occurred that workmen, after having resided in a town for some years, their health failed, and they had to struggle with bad health and consequent diminished employment, till at length their resources became exhausted, and they became desirous of going back to their native parish, with a view of recovering their health. Such persons ought to have the option of going back to their own parishes, and means ought to be furnished to them to effect this. The magistrates in petty sessions should have the power to investigate such cases; and if they found there was no collusion between the paupers and the overseers, give orders for their removal. If overseers were inclined to send poor persons back to their parishes under the circumstances he had detailed, they ought to have the power of doing so. He wished to give the sick, poor, and aged man the option of being sent back to his place of birth, providing, at the same time, a remedy against collusion or fraud on the part of overseers. He begged to call the attention of the right hon. Baronet (Sir G. Grey) to the clauses in question; and he hoped the suggestions he had thrown out would have full consideration, and would be adopted.

MR. R. VERNON SMITH complimented his right hon. Friend the Secretary of State for the Home Department, upon the great gallantry which he had displayed in covering with his shield the mangled remains of the Bill which had been bequeathed to him, and in endeavouring to galvanize it into existence in the month of July. He did not wish to embarrass his right hon. Friend in the prosecution of his task; but the least embarrassing course which his right hon. Friend could pursue would be to give up the Bill for the Session. Now, what was the course which had been adopted by his right hon. Friend? When he came into office it was found in a state in which it was impossible to proceed with it, it was such an ill-drawn Bill. He (Mr. V. Smith) told the right hon. Baronet the Member for Dorchester, that it was an ill-drawn Bill, at the commencement of the Session; and now his right hon. Friend was forced to recommit the Bill. That course might not be liable to objection; but there was another course still less objectionable, and that was to postpone the Bill till next Session. His right hon. Friend said that he could not call on the House to insert in the Bill the clauses relating to a union settlement; but the House was in a singular position in this respect, having affirmed a Motion that it should be an instruction to the Committee to insert a union settlement in the Bill. The principle of a union settlement was at least as well understood as the principle of irremovability, and he did not see why it should not be discussed. For his own part he should like to know what the principle of irremovability was. His right hon. Friend

proposed to submit the whole question of settlement to a Committee at the commencement of the next Session; but he did not know whether his right hon. Friend would not do better by preparing a Bill on the subject himself, as a reference to a Committee up-stairs was likely to delay legislation for a long time. As an instance of the delays which took place, he might refer to the Committee on the Game Laws, which had already sat two Sessions, and which would probably produce two ponderous volumes, which no one would read, while everybody was just as capable of discussing the subject two years ago as he was now, and would be after the Committee had published their report. His right hon. Friend proposed that irremovability should be given by residence—shrinking, however, a little a definition of "residence," though he told the House that the term was very well known in Westminster Hall. Perhaps, therefore, his hon. and learned Friend the Attorney General would tell them what residence was. When his right hon. Friend, however, told the House that the word was well known in Westminster Hall, he forgot to add that the reason was that no question was more litigated in Westminster Hall than the question of residence. His right hon. Friend had not stated whether residence was to be connected with industry or not—whether in order to obtain a right to settlement, residence was to be industrial or mere simple occupancy. The consequences of this Bill would be to induce those parishes in which the close system, as it was called, was practised, to throw their poor upon the open parishes. There were clearances in England as well as in Ireland—cases in which landlords had been enabled to throw the burden of their poor upon adjoining parishes. Now these practices would not be got rid of by the Bill now proposed. As the measure was to be retrospective too, and was to institute the principle of a five years' residence from the moment of its passing, parish officers would be set to work to remove persons who might become chargeable under its provisions. Such things had not been unknown, and he much feared that the effect of the measure would be to hustle poor people from parish to parish. He agreed with the hon. Member for Droitwich, as to the law of settlement. He had on a previous occasion voted for union settlements; and he believed that it was only by extending the limits of the locality in which a settlement was to be obtained, that the practice could be prevented of throwing paupers from one parish to another. With union settlements, of course, he would wish to see union rates. The great object should be to give labour as large a scope as possible for its development. They had got free trade in corn, and he now wanted to see free trade in labour. He was more and more convinced, indeed, that the results of deliberation upon the subject would be ultimately to do away with the law of settlement altogether, as having a tendency to bind down the poor to small localities, while it failed to benefit either them or the neighbourhood chargeable with their support. He urged his right hon. Friend to postpone the measure until next Session. If, however, he should press it on the House, he (Mr. V. Smith) would confine his opposition to a Motion for the insertion of clauses making residence, to be effectual, industrial.

Lord HARRY VANE had thought that very little objection was likely to be made to the proposal of the right hon. Gentleman at the head of the Home Department, particularly considering that it related to merely a temporary measure. He hoped that the law of settlement would be altered so as to make the requisite period of residence three, instead of five years, and that it would be ultimately abolished altogether. He was of opinion that there ought to be something like a county rate established, so as to permit the freest circulation of labour. The whole subject would, however, he trusted, receive the fullest investigation from the Committee to be next year appointed for its consideration.

Mr. STRUTT put it to the right hon. Baronet as to whether it would not be better to defer the advantages which he expected from his measure for a few months, than to press it on, admitting as he did that there were portions of it by no means fraught with advantage to the interests affected by them. The fact was, that the right hon. Baronet was proposing a new and anomalous principle in the law of settlement, on the very eve of a comprehensive inquiry into the whole subject. Reference had been made to close and open parishes; but the abuses resulting from that system would be aggravated instead of diminished by the proposed enactments. It was because he felt that by hurrying on the measure they would be injuring rather

than serving the poor, that he was anxious not to see the Bill rashly and hastily passed as it at present stood.

MR. HENLEY did not wish to jump hastily to a measure, the certain effect of which would be to make greater the difficulties now attending the administration of the Poor Law. The right hon. Gentleman had hesitated in defining what he meant by "residence." Now, in what position was he putting the administration of the law if they could not define the meaning of an Act which they passed? The wiser and the more humane course would have been the introduction of a short Bill suspending all removals for twelve months, until the House had an opportunity of putting the law of settlement on a permanent and satisfactory basis. It was material to consider this change as it related to the Irish. If they were to declare by law every Irishman irremovable, and make no new Poor Law for Ireland, the consequence would be that a large proportion of the Irish poor would walk over to this country. Nor could he blame them for so doing. He agreed with the hon. Member for Birmingham that it was very inhuman to turn out a man from a town where he had laboured for thirty years of his life; but for the life and soul of him he could not see why, if the man was irremovable, there should be a power given to remove his wife and children. It would be impossible to define what residence meant. The investigation would be like the ripping up of a title of fifty years standing. The class of persons who now suffered most were the casual poor, those who travelled from place to place, and whose means ran short. Now, he thought that under the 11th Clause they would be prevented from getting any relief whatever.

MR. WAKLEY: From the just feeling with which the right hon. Secretary for the Home Department approached the consideration of this Bill, he augured the best possible results from his mode of administering his present office. At the same time it should not be forgotten that this Bill had been brought in by the late Administration, who deserved the greatest credit for having taken up and grappled with this difficult subject. If the present Government went on in the same path as they had commenced that evening—if their other acts were similar to this proceeding, he should seldom remind them of their pledges or promises, for he liked acts infinitely better than professions. It was said, there would be a difficulty in defining residence. Why, any man of sense would have little difficulty in saying whether a man continued labouring in a parish for five years. But a Member, by way of simplifying the question, proposed the words, "A man who ordinarily maintained himself." He had little doubt that some lawyer could be found who would say, that such words meant, "A man who dined every day at an ordinary." He strongly approved of this Bill. If passed into a law, it would benefit many thousands of the poor. He was delighted to see, from the tendency of the arguments that night, that every day the subject of the poor was more and more regarded as a national question. The whole question must be carefully sifted. As it was, the heaviest burden often fell on the poorest parish. In Paddington, where the value of property had risen enormously, and where there were houses built every day varying from 150*l.* to 800*l.* a year rent, the rates were 8*d.* in the 1*l.* In different parts of the country, they varied from 8*d.* to 12*s.* in the 1*l.* Mr. Hutchinson, a gentleman formerly employed in that House, had made an elaborate calculation, showing that if the cost of the maintenance of the poor were distributed over the country generally, it would not amount to 1*s.* 6*d.* in the 1*l.* The present law of settlement was a disgrace to the Legislature, for under it a poor widow who could support her children for 8*s.* a week in the parish where her husband resided, was sent to her own settlement where her support often cost 30*s.* He submitted to the House that the question of the Scotch and Irish poor should be brought into the investigation when the question of settlement was reviewed. What was the case at present? A Scotchman here was sent back to his own country on the supposition that there he had a right to relief. But when he arrived, he found he had no such claim. An Irishman, in the same way, had no right to relief unless he laboured under an epidemic disease. The first duty of property was to maintain those born on the soil, who were willing to earn their bread by their honest labour. Yet the Irish absentees spent their incomes on the Continent, though their own poor perished through want. They ought to put the Irish and Scotch in the same scale as the English. He entreated the Government not to be deterred by opposition, but to pass the Bill in its present form.

MR. P. SCROPE said, he was opposed

to the measure, as it did not define the law of settlement; and he considered it very much calculated to bring over immense numbers of Irish labourers, the result of which would be that Ireland would get rid of their poor, and they and their children would become permanent burdens upon this country. He thought it would be much better to postpone the consideration of the question until next Session—as that measure was only calculated to unsettle the law of settlement—and would relieve the rich parishes of their burdens at the expense of the poor ones; and therefore he considered it an unusual mode of legislation. As it was intended to be merely a temporary measure, and the question was to be again opened next year, he thought it would be much more prudent to defer pressing forward this Bill at present. He was glad to observe the unanimity that existed in the opinions of hon. Members, that the present law of settlement and removal was most unsatisfactory—which was a step in the right direction; and he had no doubt that if the measure proposed were postponed till next year, that the Government would introduce a Bill for the final settlement of the question.

COLONEL WOOD hoped the Government would not yield to the request thus made to them; for if they prevented, by this Bill, the poor who had lived for five years from being removed, no alteration of the law of settlement could affect them. If hon. Gentlemen would only reflect on the ills to which the poor were liable by removal, they would not postpone this Bill; and as he thought the right hon. Gentleman was conferring a great boon on the poor, and he wished the Bill to pass, he would not press his own Amendment for reducing the term to three years, but consent to the period of five years. He was, however, very much disposed to support a clause to make widows irremovable; and he could not help thinking the day would come when the law of settlement would be abolished, to which Mr. Sturges Bourne's Committee of 1817 were inclined; and if it did come, the whole of the poor rates of this country would be reduced from 5*s.* to 6*d.* in the pound.

The ATTORNEY GENERAL said, that it was intended to strike out the first three clauses of the Bill; the fourth clause would therefore be the first. He should also propose to make certain alterations in the subsequent clauses, so as to admit of the application stated by his right hon. Friend. He should not endeavour to define the meaning of the word "residence" in the Bill, as it would lead to ten times the confusion which might arise if there was no such explanation. He conceived that the word residence was well understood in the practice of the law, and it had been admitted in the courts, and he thought that the common application of it as living forty days in a place was sufficient. If they took the common sense view of the point, there would be no difficulty experienced in carrying out the Bill. Again, with respect to a widow, it would not require a residence of five years on her part, provided her husband had resided in the place. This would also apply to children of a person having an industrial residence for the like period of five years. This was just, for the place had had the benefit of his labour, and had enjoyed the benefit derivable for the expenditure of his earnings. It was further provided in a clause, that it might happen that a husband had not resided for five years in a place and died, and left a widow who had not acquired a settlement there, in which case for one year she could not be removed; so also with a child, whether legitimate or illegitimate, and also with a stepchild. Children, under sixteen years of age, about which period they were able to provide for themselves, were not to be removed without their father or mother, if they had any. He did not know whether he had made himself understood, but he should endeavour to carry out the provisions of the Bill in the spirit which he had described.

MR. BICKHAM ESCOTT said, that there could be no difference of opinion as to the spirit in which the right hon. Gentleman meant to remodel the Bill; but, the question was, whether at that period of the Session, and under the peculiar circumstances, it was expedient to make such an alteration in the law of settlement as was proposed in the Bill, even in its altered form. He had listened to all that had been said, but he had not heard anything to convince him that the proposed alteration would be beneficial. He would not express a positive opinion as to the effects of this Bill; but in all the speeches in favour it, it had been assumed, rather than proved, that it would be a benefit to the poor of this country. It had been said, that there should be one system of Poor Laws for England, Scotland, and Ireland. If there was to be one uniform

system, he was satisfied that there was not now a system in either of these countries which should be adopted for that purpose. He was delighted to hear the noble Lord at the head of the Government state, that an inquiry should be instituted next Session into the whole system of the Poor Laws, and more especially as regarded the law of settlement. He believed that the Poor Laws could not be satisfactorily administered until steps were taken to ensure their local administration by those who were interested on the spot.

MR. P. BORTHWICK would support this Bill as an amendment of the law, although he did not say that the proposed improvement of the law was anything like perfect. They could not open the newspapers without seeing cases under the administration of the Poor Laws which must be most harassing to the feelings of all who read them. A case was stated in *The Times* of yesterday, or the day before, of a state of things in a large town connected with the administration of the Poor Law at Peckham, which was most revolting to the feelings of humanity. He should to-morrow put a question to the right hon. Baronet the Secretary for the Home Department on this subject. It was impossible that such a state of things could be tolerated for a twelvemouth longer by any Government.

MR. BODKIN was content to take the Bill in the shape proposed by the Government, qualified by a suggestion of his own, which he had drawn up in the shape of an Amendment, and which he would presently advert to. He did not anticipate any complicated litigation on the question of residence, nor did he wish the period of residence to be reduced. He attached very great importance to that clause of the Bill which had reference to persons becoming chargeable on account of illness. What was the present oppressive state of the law with respect to them? A man with his family, who might have been living in a parish for twenty years without asking assistance from it, became suddenly ill, and his resources being dried up, he was obliged to ask aid from the parish. When he got well, the parish were obliged, in order to get their expenses reimbursed, to remove him and his family from the parish where they were resident to the parish where they were settled. This was a monstrous evil, and was often productive of grievous hardships to poor families, and therefore he attached great importance to the clause in the Bill relating to this subject. He should be sorry to make any proposition which would hazard the success of the Bill; but he could not be insensible to the force of those objections which led the late Home Secretary, as it appeared to him, to have recourse to the doctrine of union settlements. Believing that the destruction of the parochial system would be a grievous course, he thought a middle course might be taken, as embodied in the Amendment of which he had given notice. His suggestion was, that instead of altering the parochial subdivision, it should be provided that the relief given, in any parish forming part of a union, to persons who, under the provisions of the Bill, might become irremovable, should be chargeable on the common fund of the union. The expense, therefore, of relieving these persons during irremovability would be spread over the whole union, while the question of settlement would remain untouched. He trusted that the Government would take this suggestion into consideration.

CAPTAIN PECHELL was glad to hear that the Attorney General was going to remodel some of the clauses of the Bill, which appeared to him to be unintelligible; but, considering the number of Amendments likely to be proposed, there did not appear much probability of the Bill being carried at that period of the Session. Before the Bill came into operation they ought to consider who were to be the parties to carry it into execution. The Poor Law Commissioners were at present undergoing a severe trial; and he trusted that the principle of irremovability was not to extend to them. He trusted that some provision would be speedily made for removing them from the places they at present occupied. The country would not be satisfied until a different set of persons were placed in the Commission connected with the administration of the laws for the relief of the poor.

MR. R. PALMER asked if it would not be advisable, at the period of the Session at which this measure was brought forward, to postpone the consideration of the subject until next Session, when the noble Lord at the head of Her Majesty's Government had announced his intention to move for a Committee to take the whole question of settlement into consideration. They could not, he contended, separate this question from the question of settlement. He knew that by enacting that a person

who resided in a parish for a certain period should not be removable, did not, technically speaking, give him a settlement, but in point of practice it was the same thing; for what was settlement in point of practice but the irremovability from that parish? Some of his hon. Friends on that side of the House seemed to think that this question was exceedingly simple in itself, and expressed some surprise that any hon. Member should have suggested the existence of any sort of difficulty; but if he (Mr. Palmer) were not mistaken, the late Secretary for the Home Department was aware of the difficulties that attended this question. He (Mr. Palmer) was not at all sure that the measure would not give rise to a number of appeals in cases where persons in a particular parish thought fit to resist; and it was a question if hon. Members had sufficiently considered all the bearings of the case, and how it would affect certain parishes. It was said by an hon. Member that the great object of the measure was to benefit the poor; but they should take care that in seeking to do so they did not do an act of great injustice to some particular parishes. It was said, also, that this measure was proposed as a sort of recompense to the agricultural interest for the loss they might be supposed to have sustained by the passing of the Corn Law Act; but he did not look upon it as such; and at all events he did not think they should take compensation to themselves at the cost of other parties. He conceived it would be wise and prudent on the part of the right hon. Baronet to postpone further proceeding with this Bill until the report of the Committee for which the noble Lord had proposed to move.

Mr. WODEHOUSE also wished the Bill postponed. The circumstances of different parts of the kingdom so much varied, that what was right in one was injurious in another; in the part of the country with which he was connected the injury would be so extensive that he must protest against the measure. The question ought not to be blinked, but it ought to be viewed in all its bearings, and this was a crude measure.

Mr. TATTON EGERTON was a witness of the misery resulting in the year 1842, in the manufacturing districts, from the removal of the poor. He did not think that any objection should be taken to this measure because a Committtee was to be appointed next Session for the purpose of taking the law of settlement into consideration; and he could not but express his delight that the measure was to be proceeded with.

House went into Committee on the Bill *pro formâ*, and resumed.

Bill brought up. Amendments to be printed.

House adjourned at half-past Eleven o'clock.

HOUSE OF LORDS,

Friday, July 17, 1846.

Minutes.] Public Bills.—1ª. Service of Heirs (Scotland).

3ª. and passed. Coroners (Ireland); Viscount Hardinge's Annuity; Lord Gough's Annuity; Ropemakers; Spitalfields New Street.

Petitions Presented. From Broadwater, and several other places, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—From Railway Passengers on the Bristol and Birmingham Line, against the Break of Gauge, and praying that the Recommendations of Her Majesty's Commissioners for Establishing a National Uniformity of Gauge may be adopted.—By the Duke of Richmond, from Chichester, against the proposed Measure for Altering the Law of Settlement.—By the Bishop of London, from Thirsk and Bury, for the Better Observance of the Sabbath, and against the Sale of Intoxicating Liquors on that Day; and from the Rector, Churchwardens, and others, of the Parish of Saint Clement Danes, for the Establishment of Public Baths and Washhouses.—From Natives of the Principality of Wales resident in London, praying that Means may be provided for Extending Education to the Poorer Classes in Wales.—From Provincial Synod of Caithness and Sutherland, for the Repeal of all Religious Tests on Admission to Offices in Scotch Universities and Parochial Schools.—From Ayr and Girvan, for Abolishing or Modifying the present Law of Strict Entail (Scotland).

THE PROTEST AGAINST THE CORN IMPORTATION BILL.

Lord REDESDALE wished to call attention to the subject which had last evening been discussed, and to the statement which had been made by a noble Lord, that it was incompetent to a Peer to protest against a vote at the taking of which he had not been present. He was aware that there was an impression abroad that this was an irregular proceeding, which impression was founded upon the course that was taken in 1823, when the Duke of Somerset had signed a protest against an Amendment to the Address, he not having been present when the question was put. Having that morning taken down three volumes at random, he (Lord Redesdale) had found the record of three different occasions, in 1678, in 1720, and in 1781, when Peers had done the same thing. It was, therefore, clear that, whether regular or irregular, the practice complained of was no novelty. The Standing Order on this subject was to this effect:—

"Ordered—That such Lords as shall make pro-

testation, or enter their dissents to any votes of this House, as they have a right to do without asking leave of the House, either with or without their reasons, shall cause their protestations or dissents to be entered into the clerk's books the next sitting day of this House, before the hour of two o'clock; otherwise the same shall not be entered, and shall sign the same before the rising of the House the same day."

And there was here not a single word to imply the necessity of a Peer being present when a vote was taken, if intending to make protestation or enter dissent.

LORD CAMPBELL said, that the impression on his mind was, that the right to make a protest only appertained to a Peer who had been present during the debate. He conceived it to be the protest of a Peer who conceived that his opinion had been improperly overruled. He thought that some decided rule should be laid down.

LORD BROUGHAM had thought that it was essential that Peers present only could enter a protest, and was not aware of the cases stated that night until they had been mentioned by his noble Friend. He thought that they should settle something like a definite rule on this subject.

The EARL of RADNOR had always thought that it was imperative that a Peer should have been present at the debate. He was sure that not one-third of the number of Peers who signed the protest against the third reading of the Corn Law Bill had been present at that stage of the Bill.

LORD LYNDHURST said, that if the noble Lords when absent from the House had the right of voting by proxy, he did not see what objection there could be to them entering a protest against a measure.

After some further conversation the subject dropped.

THE OREGON TREATY.

The MARQUESS of LANSDOWNE had very great satisfaction in laying on the Table, by command of Her Majesty, the Treaty concluded between Her Majesty and the United States. He had also the satisfaction of acquainting their Lordships that the ratification between the two countries had been exchanged.

ANNUITIES TO VISCOUNT HARDINGE AND LORD GOUGH.

The MARQUESS of LANSDOWNE moved the Third Reading of these Bills.

The DUKE of RICHMOND did not rise to oppose this Bill being read a third time, after the decision to which their Lordships had come on the preceding evening; but he must say that that decision was anything but satisfactory to him. He thought it was establishing a dangerous precedent, and he also thought that the ground that the proposition was opposed elsewhere was not tenable. He did not see why officers of the army were not to be rewarded quite in the same way as civilians. There was one matter connected with this subject which, he owned, had given him considerable regret, and that was, that more notice had not been taken of the splendid services of Sir Charles Napier. He considered that that individual had shown as much military knowledge, bravery, and gallantry as any officer that had served in that country. He fought two great battles, and entirely conquered Scinde; and he had not only conquered Scinde, but had brought into subjection those tribes which it had been thought impossible to dislodge from their fastnesses. After a great deal of hard work and privation, he had succeeded in subjecting them; and then he had displayed his efficiency as a civil governor by bringing them down, and making them cultivate the land. He had induced them to give up their predatory habits, and they were now useful members of society. He (the Duke of Richmond) did not know the reason why some notice had not been taken of the services of this officer, who had shown himself to be so gallant, who had conciliated the affections of the whole of the soldiery under his command, and who was, he believed, beloved even by the people whom he had conquered. He thought that individual should have received greater marks of their approbation of his conduct than the thanks of Parliament which had been voted to him.

LORD BROUGHAM observed, that having already expressed most unreservedly his concurrence in the views of the noble Duke (the Duke of Richmond) with respect to the annuities proposed to be given to Lord Hardinge and Lord Gough, it was unnecessary that he should say more on the subject at present; but he could not avoid offering a remark in reference to the observation which had just fallen from the same noble Duke respecting that illustrious man Sir Charles Napier. He believed that neither in this nor any other country did the history of war present to the notice of men a more gallant soldier or a more able commander than Sir Charles Napier. Not even in India, the land of battles, had gallantry more dauntless or military skill more

admirable been displayed than were exhibited at the battles of Meanee and Hydrabad. His noble Friend, the noble Duke who now usually sat on the cross benches (the Duke of Wellington), had himself borne testimony to this fact; and he admitted that never in any engagement had any general been more prodigal of his person than Sir Charles Napier in the engagements in question. Not only had he shown himself a soldier of the most undaunted personal heroism, but he had achieved higher glory still, by displaying talents of generalship which it would be difficult to parallel, and a degree of strategetical skill which challenged the warmest admiration. It would be in vain to search our history, brilliant though it was in glorious exploits, for actions of military skill to transcend, he had almost said to match, those of Sir Charles Napier. No doubt it was a delicate matter to offer an observation on, but he must say he could not well derstand why services such as those of Sir Charles Napier should have been passed over with so little notice.

The DUKE of GRAFTON admitted the high claims which these great generals possessed on the gratitude of the Legislature and the public; but it was to be regretted that the nation did not appear to be sufficiently sensible of the depth and magnitude of the acknowledgments which were due to Divine Providence, to whose interposition all successes were to be attributed.

Bills read 3ª. and passed.

THE QUESTION OF THE GAUGES.

The EARL of DALHOUSIE rose to bring forward the Resolutions with respect to the Gauge question, of which he had formerly given notice. The noble Earl said that he should have brought them forward at an earlier period, had it not been for the late change in the Government; and he then undertook the task in consequence solely of a request to that effect from his noble Friend the President of the Board of Trade (the Earl of Clarendon). As the grounds of those resolutions were very fully stated in the Minute of the Board of Trade presented to that and to the other House of Parliament, and as they were founded on the Report of the Gauge Commissioners, he did not feel it necessary to occupy their Lordships' time at any great length on that occasion. Those resolutions did not refer to the railway system generally, but related exclusively to one point—namely, the question of the gauge on which railways were formed; and the object of the resolutions was to determine the gauge on which existing railways should be permitted to remain, and to establish some regulation with respect to the gauge on which railways at present in the course of construction, or to be hereafter constructed, should be made. He would take that opportunity of observing that the 4 feet $8\frac{1}{2}$ inch gauge, on which the great majority of our railways had been constructed, had not been originally adopted upon any fixed principle, or from any proofs of its superiority, but solely from the accidental circumstance that that was the usual width of the waggons which ran on tram roads at the period when railways were first introduced. At the end of the year 1844 there were in this country about 1,900 miles of railway on the narrow gauge system, and about 300 miles on the broad gauge system. But the question of the break of gauge had not up to that time arisen. At the commencement of the year 1845, however, when the enormous number of about 250 Railway Bills came before Parliament, the question had been raised, and especially with two lines—namely, the line from Oxford to Rugby, and the line from Oxford to Worcester and Wolverhampton. Commissioners were subsequently appointed to inquire into the gauge question. Very strong attacks had been made on the report of these Commissioners, and their judgment and impartiality had been severely impugned. But, after having inquired into the observations made in their report, and the objections urged against it, he felt bound to state, in justice to those Gentlemen, that he entertained the highest opinion not only of the ability and the industry with which they had discharged the difficult task intrusted to them, but of their entire fairness and impartiality. The Commissioners had come to the conclusion that a break of gauge was a very serious evil; and further, that there were no mechanical means of mitigating that evil. They were of opinion, therefore, that a uniformity of gauge was most desirable, and they afterwards proceeded to consider how it might be attained. After having read several extracts from the evidence given before the Commissioners, the noble Earl proceeded to observe that the Report which they had made on this subject had been referred to the department of the late Government to which the consideration of such matters was usually left; and the Board of Trade

had accordingly devoted the most serious and anxious intention to so important a subject; and the result of their deliberations was contained in the minutes which their Lordships of the Committee of the Council for Trade had furnished. The Board of Trade had felt, as well as the Commissioners, the full difficulty of this subject of establishing uniformity of gauge; but they had endeavoured to deal with it as well as they could after giving all the circumstances of the case the fullest consideration which they could bestow. They found that it would involve an expense of not less than about one million sterling to alter the existing broad gauge lines to the narrow; and they did not consider it would be fair or just to the broad gauge companies to compel them to incur such an expense, and more especially as these companies had the greatest claims upon the public tenderness, in consequence of the great improvements which they had effected in railway travelling, both with respect to speed and safety. Such a compulsion would be a breach of faith that they could not approve of, seeing that those companies had laid down their works under the sanction of Acts of Parliament; neither could the Board of Trade recommend that the sum should be contributed by the Exchequer, nor by the narrow gauge companies. Either of these three courses would be unjust, or unreasonable, or both. Therefore, as they could not compel the companies at present formed on the broad gauge to change to the narrow, it behoved them to consider how they might best arrange this matter with reference to the railways in course of construction and extension, as well as those that were in existence, or might be hereafter proposed. Some had recommended that the country should be divided into districts, and that the broad gauge should be adopted in one, and the narrow in another. But this course the Board of Trade deemed objectionable, and they had accordingly decided against it; and if the House adopted the resolutions which he had then to propose, and which had already been agreed to by the House of Commons, he thought it would tend much to the public convenience. The noble Earl then proceeded to refer in detail to the circumstances under which the Board of Trade had sanctioned the recommendations conveyed in the resolutions, to which latter he also alluded. One proviso had, in the end of the third resolution, he observed, reference especially to the Manchester and Southampton Bill, which he understood had passed the other House of Parliament. These resolutions, if not followed by a Bill (as some seemed to think they ought, to be operative) carrying out and embodying the spirit they contained, might have the effect of influencing the decisions of Parliament with reference to the drafting of all future Railway Bills, into which clauses in accordance with these resolutions might be inserted. Some of their Lordships might say they ought to have a more grand and comprehensive scheme than the present; that, in carrying out the recommendation of the Commissioners for the establishment of uniformity of gauge, they would do something more extensive; but it appeared to him that these resolutions were of a more practical and useful nature, and he would be satisfied to forego the credit of introducing a grander or more comprehensive system, if he had the satisfaction of inducing their Lordships to adopt that which he believed would be a more just and practical remedy for the arrest of the evils which they all acknowledged existed in the break of gauge in the railway communication of this country. The noble Earl concluded by moving the following Resolutions :—

"1. That it is the Opinion of this House, that no Line of Railway should hereafter be formed on any other than the Four Feet Eight and a Half Inches Gauge, excepting Lines to the South of the existing Line from London to Bristol, and excepting small Branches of a few Miles in Length, in immediate Connexion with the Great Western and South Wales Railways; but that no such Line as above excepted should be sanctioned by Parliament unless a Special Report shall have been made by the Committee on the Bill, setting forth the Reasons which have led the Committee to advise that such a Line should be formed on any other than the Four Feet Eight and a Half Inches Gauge.

"2. That it is the Opinion of this House that Provision should be made by Law to prevent the Directors of any Railway Company from altering the Gauge of such Railway.

"3. That in order to complete the general Chain of Narrow Gauge Communication from the North of England in the Southern Coast, and to the Port of Bristol, any suitable Measure be promoted to form a Narrow Gauge Link from Gloucester to Bristol; and also from Oxford to Basingstoke, or by any shorter Route connecting the proposed Rugby and Oxford Line with the South-Western Railway, without Prejudice, however, to the Formation of any other Line, also connecting upon an uniform Gauge, and by a direct Route, the North of England with the Southern Coast.

"4. That it is the Opinion of this House that it is expedient that the South Wales Line and its Branches to Monmouth and Hereford should be formed on the Broad Gauge.

"5. That it is the Opinion of this House that it is not expedient to alter the provisions of the Acts

for forming a Line of Railway from Rugby to Oxford, and for forming a Line of Railway from Oxford to Worcester and Wolverhampton, with respect to the Gauge on which they may be formed, or with respect to the Powers therein conferred on the Board of Trade."

LORD REDESDALE said, although there might be a general concurrence with the views and resolutions of the noble Earl, few persons would be satisfied with the state in which these resolutions would leave the question under discussion. He regretted the adoption of these resolutions for one reason, and that was that they seemed to preclude the hope of this country ever possessing uniformity of guage; a matter which all parties unconnected with railroads were so unanimous in believing was a most desirable object to accomplish. It would be, in fact, the only thing creditable to this Empire, which had distinguished itself by the first introduction of this system; but if not adopted, he feared that England, which had originated railway communication, would present nothing to future ages but a bungling and complicated system, when it ought to have been more perfect than that of any other country. He thought that great blame attached to the Commission for not having reported what in their opinion was the best gauge. It was, he thought, impossible even for those most interested in the narrow gauge to deny that, as far as increased speed was concerned, the advantage was decidedly in favour of the broad gauge. The point, therefore, which the Commission should have determined was what gauge was most for the advantage of public. He believed that if they had recommended a medium gauge, many of the difficulties would have been got rid of, and that such a recommendation would have met with little or no opposition if it had reference to railways now in the course of being constructed, and to those which hereafter might be constructed. He believed if such a medium gauge had been recommended and so applied, that in a few years the number of railways constructed upon that recommendation would have been so great, that the old lines would have found themselves under the necessity of adopting a similar arrangement; and he did not think that the existing gauges could have had any reason to complain if Parliament had sanctioned such a gauge. He thought the present resolutions objectionable, inasmuch as they contemplated two gauges throughout the country, and because they would do nothing to check the evils at present complained of. In his opinion, these resolutions would be found powerless for good; and he was not, therefore, inclined to look upon them with any particular favour. It appeared to him that the laying down of a double line would compel the adoption of broad-gauge carriages. If they were to mix the broad gauge and narrow gauge carriages, they would be running the risk of accidents occurring, particularly as regarded passenger trains. He believed that the two accidents which had occurred on the Great Western line had arisen from the circumstance of the carriages being of too light a description. With regard to the transfer of merchandize by slower trains, he did not think that the objection arising from the mixing of carriages was entitled to the same weight. He was not, however, inclined to oppose the resolutions, for they might be of some service; but he would impress on the noble Lord the President of the Board of Trade the expediency of even now instituting an investigation as to what was the best gauge, and the one most likely to be ultimately beneficial to the country. If an announcement of such an investigation were made, it would make the public aware that a uniformity of gauge had not been lost sight of. If, on the contrary, they passed these resolutions without any such announcement, the impression would at once be created that the two gauges at present in existence were to be continued, with all their rivalry. He hoped the noble Lord at the head of the Board of Trade would turn his attention to the subject, and make some declaration of his views, so that the public should not imagine that the country was to be subjected to the grievous evil of having two gauges.

LORD KINNAIRD had given notice of a Motion on the subject, but, in consequence of what had fallen from the noble Lord opposite, he should defer bringing it forward until some future day, when he hoped the noble Lord would give him his support. He thought it was a great misfortune that the Commissioners had not inquired as to what was the best gauge for the public, instead of limiting their inquiries to the merits of the two gauges at present in existence. He believed if they had gone into the inquiry as to a medium gauge, that they would have made a very different report. He thought the present resolutions objectionable, inasmuch as they tied them up to the adoption of an inferior gauge.

The EARL of GALLOWAY regretted that legislation had been so long delayed on the subject, and had no doubt that great confusion had resulted from the want of some regulations.

The EARL of WARWICK said, that great advantages would result from the adoption of some definite gauge, and thought it would be very desirable to insert a clause in all Railway Bills compelling companies to lay down their lines in a particular manner.

LORD HATHERTON said, the advantages of the broad gauge were so great that the public would eventually demand its extension.

The EARL of CLARENDON said, although the minute of the Board of Trade did not establish the uniformity of gauge, it dealt with the subject in the best possible manner consistently with existing interests. He could not hold out any hope to the noble Lord opposite that he would endeavour to establish uniformity of gauge, and thought the best course would be to endeavour to disturb as little as possible the resolutions which had been proposed to their Lordships.

Resolutions agreed to.

House adjourned.

HOUSE OF COMMONS,

Friday, July 17, 1846.

MINUTES.] NEW MEMBERS SWORN. For Edinburgh, William Gibson Craig, Esq.—For Edinburgh, Right Hon. Thomas Babington Macaulay.—For Richmond, Henry Rich, Esq.

PUBLIC BILLS.—1°· Burial Service; Prisons (Ireland); Fisheries (Ireland); District Lunatic Asylums (Ireland); Grand Jury Cess Bonds (Ireland); Mandamus (Ireland); Taxation of Costs (Compensations for Land) (Ireland); Adverse Claims (Ireland).

Reported. Ordnance Survey.

3°· and passed. Western Australia; New Zealand Loan.

PETITIONS PRESENTED. By Viscount Clive, from several places, against the Union of the Sees of Saint Asaph and Bangor, but at the same time providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. G. Craig, from Royal Burghs of Scotland, against the Abolition of Religious Tests in the Scottish Universities.—By Mr. Byng, from the Medway Union, for the Adoption of a Measure making the Landlords of Cottages where the Rents are under £6 liable to the Poor Rates.—By Mr. Gibson Craig, from Members of the Chamber of Commerce and Manufactures of the City of Edinburgh, and from Royal Burghs of Scotland, for the Adoption of Measures for securing an Adequate Supply of Sugar.—By Mr. William Williams, from Inhabitants of Coventry, praying the House not to sanction, by Votes of Money, or otherwise, any further Embarkation of Troops from the United Kingdom to Foreign or Colonial Countries.—By Mr. Long, from Guardians of the Poor of the Bradford Union, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Mr. Christie, from Henry Le Messurier, and from Inhabitants and Residents of Guernsey, respecting the Criminal Law of that Island.—By Mr. Gore, from Oswestry, for Establishment of Local Courts.—By Sir R. H. Inglis, from Governors of Bartholomew's Hospital, against the Charitable Trusts Bill.

ENCLOSURE ACTS.

VISCOUNT CLIVE rose to put a question to the right hon. Baronet the Secretary for the Home Department. There were at present a great number of cases ready to be inserted in the Supplementary Enclosure Bill; and he wished to know whether the right hon. Baronet intended to bring forward that Bill during the present Session. Those interested in the matter were extremely anxious that such a Bill should be brought forward.

SIR G. GREY replied, that the General Enclosure Act provided that the Commissioners of Enclosures should present an annual report to Parliament, or rather that they should present an annual report to the Secretary of State, which it would be his duty to lay before Parliament. In that report the Commissioners were to state all cases of enclosure which they were prepared to recommend, and then the authority of Parliament must be taken before those recommendations could be carried into effect; and if Parliament approved of the enclosures recommended, they could be carried out under the general Act. A report had been laid upon the Table of the House two months ago, and an Act was passed to authorize the enclosures recommended in that report. The report, however, included only a few months of the year; the period over which it extended commenced soon after the beginning of the Session of Parliament, and ended with the month of May. A Bill was passed in May, authorizing the seven cases of enclosure which that period embraced. A separate report had not since then been laid upon the Table of the House, but from private information which he received he was enabled to state that fifteen cases had since then come under the notice of the Commissioners; and, doubtless, they might make a special report on the subject. When that report was made, it would be his duty to consider what could advantageously be proposed during the present Session of Parliament. He doubted whether the general Act would allow him to bring in such a Bill as would meet the case. If numerous cases required it, and the Bill was supposed to be necessary, he should have no objection to take charge of it.

The EARL of LINCOLN said, that he had carried the general Bill through the

House, and assured the right hon. Baronet that no such difficulty as he apprehended would be found to exist.

TROOPS IN THE COLONIES.

SIR DE L. EVANS said, that he had given notice of a Motion, of very great importance to the interests of the army. That Motion was upon the subject of the estimate for provisions for the troops serving in the Colonies. That Motion was to the effect that the estimate for provisions should be so framed that the troops serving in the Colonies should not be deprived of any advantage or allowance in regard to stoppages which might be enjoyed by the forces employed in the home territory of the United Kingdom. He had given notice of that Motion in consequence of a disturbance in one of our regiments in the Colonies, arising from the discontent of the men with regard to the system of provisions. Should the correspondence on that subject be produced, it would be found that the system required alteration; but he would not now press his Motion, as the War Secretary was so new in his office. He trusted, however, that the attention of the Government would be given to the subject.

SIR H. DOUGLAS said, that as he was the colonel of the regiment in which the discontent had shown itself, he felt bound to say that the misconduct of the men had lasted but for a short time, and when fresh arangements had been made, they had returned properly to their duty. But certainly the system of making an aggregate estimate for the provisions in all the Colonies was a most objectionable system. The consequence of it was, that in certain Colonies the men were exposed to bad provisions; and it was no consolation to assure them that, in their turn, they would reach the Colonies which were better supplied.

The CHANCELLOR OF THE EXCHEQUER said, that it was true that some unfortunate circumstance had occurred, as stated by the gallant Officer, but means had been taken to prevent the occurrence of similar discontent. With regard to the correspondence, he had inquired, and found that it could not properly be produced. As to the general system referred to by the gallant Members who had preceded him, he could say nothing but to assure them that the most earnest attention of the Government should be given to it.

EDUCATION OF THE PEOPLE.

On the Motion that the House go into a Committee of Supply,

MR. EWART rose to bring forward a Motion which he said he had produced in several former years. He had embodied his views in the four subsequent Resolutions:—

"1. That it is expedient that early and comprehensive measures be adopted for extending the Education of the People; and that a statement be made by a responsible Minister of the Crown, on the state and prospects of Education, every year, on going into the Education Estimates.

"2. That it is expedient that the formation of additional training schools for schoolmasters be encouraged.

"3. That it is expedient to encourage the formation of public libraries, freely open to the public, in large towns.

"4. That it is expedient that appointments to the subordinate offices of Government be made, as far as possible, on the principle of open examination of the respective qualifications of the candidates."

The hon. Member observed, that annual statements were made regarding the army, the navy, and the ordnance; and as the promotion of education now formed a part of the annual expenditure of the country, justice to the people required that an annual statement should also be made on the state of general education, by a Minister of the Crown. This formed his first proposition. His next was, that training or normal schools for masters should be more liberally encouraged. The nation would never withhold an additional grant in the Estimates for what was now deemed so indispensable a purpose. His third Resolution referred to the institution, or encouragement, of public libraries. There were in this country no really public libraries, into which every one—rich or poor, native or foreigner—might freely enter. It was disgraceful to us that we had no such libraries here as existed in France, Italy, and Germany. The library of the British Museum was not unrestrictedly open like the libraries upon the Continent. In our only public library, conditions were annexed to admission. On the Continent, no questions were asked. The applicant for permission to read at the British Museum, must bring a recommendation from a Member of Parliament, or one of the Judges, or an eminent physician, or a clerk in a public office, or some other person equally illustrious or equally obscure. These conditions were a burden on science—a tax on literature. They ought to be abolished, and unrestricted freedom of admission re-

cognised. Lastly, he (Mr. Ewart) contended, that candidates for admission into subordinate public offices ought to be subjected to a preliminary examination of their acquirements. At present, these situations were made mere subjects of political patronage and Parliamentary influence. But in Prussia, nay, even in China, merit was the recognised test of fitness. Why should it not be so in this country? Thus the State would acknowledge the value of education, and infuse it into its own administrative system. On the subject of Education generally, how little had been done of late years! It was now nearly thirty years since Lord Brougham had turned public attention towards it, when he made his famous Motion respecting the grammar schools and charitable institutions of the country. The Commission then appointed had laboured for five-and-twenty years, and at length produced its result in an ample Digest of four folio volumes. Since Lord Brougham's movement, others had been made. Mr. Roebuck had proposed a Committee on National Education in 1833. Professors were examined, foreign and domestic; no specific result, however, followed. True, the Government proposed annual grants. 30,000*l.* a year for assisting in the building of school-houses, were long a yearly record of Parliamentary indifference. The grant at length grew to 75,000*l.*, and now magnified itself into 100,000*l.* But this grant was not only inadequate to its object, but discreditable to the nation. Compare it with what had been done in foreign countries. Compare only Lancashire and Yorkshire, a population of 3,300,000, with Switzerland, a population of only 2,300,000. In Switzerland, there were thirteen normal schools, of far superior appointment to most of ours: in Lancashire, there was only one. France has seventy-six schools; we, only five deserving of the name. France has eighty-seven normal chief and one hundred and fourteen sub-inspectors; we only seven. Holland, too, had been maturing her system of education ever since the beginning of the century. Nay, he observed that even Turkey was now promoting the education of her people. He (Mr. Ewart) did not make these remarks that he might incite us to tread servilely in the footsteps of foreign nations. He wished for no undue interference by the State; but he wished for assistance, encouragement, and accountability. Let the public importance of education, at all events, be publicly recognised. "The universality of primary instruction," said M. Guizot, the French Minister of Education, in 1833, "is, in the eyes of the Government, one of the greatest and most pressing consequences of our charter." Why, in England, if we did not interfere with it, should we not watch over it—should we not foster it, should we not develope its growth? He cited examples to stimulate our energies, not to engage us in a servile imitation. In France, by the project of M. Guizot, every commune had its primary school; every commune with more than 6,000 inhabitants, its superior primary school; every department had a primary normal school. The masters were provided with a salary, as well as a contribution from their scholars, a residence, and a retiring salary, by means of a *caisse d'epargne*, or savings bank. On the importance of the profession of a schoolmaster, he (Mr. Ewart) believed that the House entertained but one opinion. That profession was, in this country, at once a noble and a neglected one. To whom were we more indebted than the schoolmaster? Whom ought we more liberally to requite? His duties and his aims were admirably described in that memorable production, the letter of M. Guizot to the schoolmasters of France. These were the words:—

> "Doomed," he says of the teacher, "to see his life flow on in monotonous toil, sometimes even to encounter around him the injustice or the ingratitude of ignorance, he would be often saddened, or perhaps overcome, if he did not draw his strength and his courage from other sources than such as can be seen through the vista of direct and purely personal interest. A deep feeling of the moral importance of his labours should sustain and animate him. * * * * * It is his glory to pretend to nothing beyond his obscure and laborious condition, to exhaust himself in sacrifices scarcely calculated by those who profit by them; to toil, in short, for man, and only to expect his recompense from God."

The public were much indebted to Mr. Kay, a Travelling Bachelor of the University of Cambridge, for his recent work on Continental Education. In it he (Mr. Ewart) found that in Austria, Bavaria, France, Hanover, Holland, Prussia, and Switzerland, the schoolmasters were honourably and independently supported, while their characters and acquirements were ascertained; but that it was "quite the contrary" in England. Had we no necessity for the schoolmaster? Our poor rates, as Mr. Kay truly stated, had increased. From about four millions in 1837, they were now nearly five millions. The

poor would sink into the depths of habitual dependency. Outdoor relief was increasing. Probably, one million of our population was becoming dependent on it. What better resource than to teach them to think, to foresee, and to be independent? How can we do so except by education? Why perpetually adopt palliative, instead of preventive, measures? If we examined the valuable tables of Mr. Baines, and compared the proportion of scholars to the population in our manufacturing districts, we should find them far below the average on the Continent and in the United States. He (Mr. Ewart) feared that in the agricultural districts the state of ignorance was deeper and darker still. The Rev. Mr. Allen, one of the Government Inspectors, in his report for 1844, exhibited the condition of the schools in the counties of Bedford, Cambridge, and Huntingdon. Out of 123 parishes in Bedfordshire, there were 65 parishes "with no daily school, or a very bad one." In Cambridgeshire, out of 164 parishes, there were 57 "with no daily school, or a very bad one." In Huntingdonshire, out of 104 parishes, there were 49 "with no daily school, or a very bad one." But if, turning from the quantity of education to its quality, we interrogated the reports of the Inspectors, we should not find the prospect brighter. Of the teachers themselves, says Mr. Watkins,

"—the spelling is frequently very incorrect—the language is provincial and ungrammatical. They use a species of scholastic slang. I saw violent ebullitions of temper. In three schools there were notorious drunkards; in twenty-two the masters were incompetent."

The Rev. Mr. Moseley, another Inspector, stated that—

"Some hundreds of children, taken from the highest classes of our national schools, were incapable of telling the name of the country in which they lived. Many were ignorant who governs the country. They told me that the Queen of England was also Queen of France; that England was in Africa; and that to reach Scotland, you must cross the sea."

In a national school described by the Rev. Mr. Bishop, of Oriel, "the question being passed from boy to boy whether any of them had been baptized, they all answered, 'No;' but when it was asked whether they had been christened, they unanimously answered, 'Yes.'" No wonder that, such being the quality of education given, the reports of the Inspectors, Messrs. Allen, Cook, Bellairs, Watkins, and Moseley, coincided in stating the necessity of increasing the numbers and attainments of the "training masters." But why should we not make the teaching of our agricultural masters more practical? In France, fifty-two schools have land attached to them for the purpose of instructing the pupils in practical agriculture.

"To the schools in Switzerland," says Mr. Kay, "lands have been attached which are farmed and cultivated by the pupil teachers. On these lands, the pupil teachers and professors may be seen toiling in farmers' frocks, like peasants, rather than of young aspirants for the much-respected profession of a schoolmaster. The teacher is never allowed to forget that he is a peasant."

The higher the instruction given him the more important it is deemed to

"—cherish his sympathies for the humble class among whom he will be called to live. They are thus taught from their childhood to combine a high development of intellect and a great elevation of character, with the simplicity and drudgery of a peasant's occupation."

Alas! could we say that we had yet such large and elevated views in England? Was it deemed that religion did not extend with extended education? Quite the contrary. Must not the enlarged mind fly more willingly towards its Creator? In France, says M. Guizot, in his already cited letter, "*Partout où l'enseignement primaire a prospéré, une pensée religieuse s'est unie, dans ceux qui le répondent, au goût des lumières et de l'instruction.*" The cultivation of the mind was found, after long experience, by one of our missionaries in India, to be the most effectual means of developing Christianity in the soul. But from none of these systems abroad, so far as he (Mr. Ewart) understood, was religion banished. On the contrary, it was not only connected with, but infused into the system. It was found in the French system. It was found in the Prussian system. Why should it not be found in ours? The public was eminently indebted to Dr. Hook for the treatise he had written on this difficult portion of the subject, as it also had been to the Rev. Baden Powell several years ago. The course recommended by these gentlemen was open to us. The Irish system, practised also successfully at Liverpool, was open to us: or we might combine the systems. At all events, we might approximate, and gradually prove that religion could unite where theology attempted to divide us; that Education was the ally, not the enemy, of Christianity. But he (Mr. Ewart) did not wish to impose, he wished to invite, coalition. It might be the work of time. But let the good, of all sides, not despair of it. At all events,

there was one part of their educational system, connected with the past, which required immediate attention. He meant the existing state of those ancient English foundations, our grammar schools. Why might not these schools be made available for modern purposes? The House was acquainted with the results of Lord Brougham's Commission. The property held by what were commonly called the charitable trusts of this country, part of which was attributable to education, was enormous. According to the Report of the Commissioners, these charitable trusts possessed in land more than 442,915 acres; in stock, 5,656,746*l.*; in mortgages, 1,011,782*l.*: total, 6,678,528*l.* The income was—from rent, 874,313*l.*; rent-charges, 79,930*l.*; interest, 255,151*l.*: total, 1,209,394*l.* Out of these, the income of the grammar schools was, 152,047*l.*; of schools not classical, 141,385*l.*; of charities given for, or applied to education, 19,112*l.*: total, 312,544*l.* Now, was it a great violation of the intentions of the founders of these schools to divert their funds from legal litigation, and turn them towards the education of the people? In most, if not in nearly all instances, he believed they would by so doing promote, rather than counteract, the intentions of the founders. Looking into the conditions on which these institutions were established, he found many of them susceptible of modern improvement. Some of them were appointed for the "teaching of mathematics and French." Many of the founders are more general in their language, and prescribed, "the teaching of grammar and other good learning;" others, "grammar and other literature," or "grammar and other godly learning;" others, again, "the Latin tongue and other more polite literature and science." Some prescribed, more generally, "virtue, learning, and manners;" and some, more quaintly, "grammar and other virtues." Now, he (Mr. Ewart) thought that, when terms so comprehensive as these were used, these ancient foundations might be extended to meet modern exigencies. Where they could not, the Legislature should interpose, as it had already partly done, and extend the limitations of the founder. A Bill giving powers to that effect had, he believed, been rejected in the Lords; but an amended measure was the early and indispensable duty of the Government. Rescue these institutions at once from the evils of mismanagement, and the perils, or rather plunder, of the law, and devote them to the education of the country. He would next turn to the system of education in Scotland. He directed the attention of the House to the character of the people of Scotland, and asked if some of their most eminent national virtues were not to be traced to the system of parochial schools introduced in 1696? By the memorable Act of 1696, it was provided that there should be a school and a schoolmaster in each parish. Nothing further, he believed, was done till 1803, when a pittance was added to the salary, and some new rules were made. The Statute of 1803 raised the schoolmasters' salaries from a maximum of 11*l.* 2*s.* 2*d.*, and a minimum of half that sum, to a maximum of 22*l.* 4*s.* 5*d.*, and a minimum of 16*l.* 13*s.* 4*d.* and gave the schoolmaster a house and garden—the house not to contain more than two apartments, including the kitchen—in the native Doric of Scotland, called "a but and a ben." The Statute of 1803 further made a provision for two schoolmasters in a parish; but in this case the salary of both was limited to 33*l.* 6*s.* 7*d.* The second master had no house or garden allowed to him, and commonly received 10*l.* or 12*l.* a year. Formerly, the schoolmasters of Scotland were persons of greater consequence than they now are, and were frequently educated at the universities. In 1824, they issued a statement of their grievances, and asked that they might have a power of appealing to the higher church courts, of which they were deprived by the Act of 1803, and also that their houses might not be limited to two rooms if the heritors thought more were required. The heritors with the minister were the judges of qualifications of the schoolmaster. It could not be said that they were always unexceptionable judges. Probably an infusion of other classes, as judges, would be beneficial. But in any extension of the system in Scotland, justice alike and the circumstances of the country, forbade them to show any undue preference either to the Establishment or to any sect whatever. Extend the system, if you like—it required extension and reform—but extend it fairly, and in conformity with the free state of opinion which now prevails in Scotland. From Scotland he turned his attention to Ireland. He rejoiced in being able to say that the national system of education, suggested originally by his hon. Friend the Member for Waterford (Mr. Wyse), and adopted by Lord Stanley, had proved most

successful. There were, indeed, some demurs to it; but he believed that, by judgment and patience, even these would at length be overcome. The number of schools were, in the year 1833, 789; in 1840, 1,978; in 1845, 3,426. Of scholars the numbers were, in the year 1833, 107,042; in 1840, 232,560; in 1845, 432,844. The total number of teachers trained in the year 1845, was 290. Of these the component members were Roman Catholics, Dissenters, Presbyterians, and members of the Established Church. The educational works issued by the Board were admirable for their simplicity and comprehensiveness. Thus they had nearly half a million children well educated, nearly three hundred teachers trained, an excellent system of school-books established. Above all, the members of various religious sects were brought together, and taught by association first to tolerate, and then to love each other. No religious discord disturbed, as he understood, either the dignified Commission which presided over, the masters who conducted, or the children who profited by, this system of education. But he would give the result in better words, as well as from better authority, than his own. These were the words of Mr. Corballis, at the last distribution of prizes at the normal school of the society in Dublin:—

"In the respectable body of teachers, of various religious denominations, whom I have the gratification to see before me, I find the strongest demonstration I could desire of the practicability, and the blessings of a mixed system of education in Ireland. Protestant, Presbyterian, and Roman Catholic teachers, which of you, I ask, has quarrelled with your companions on the subject of religion since you came up here to be trained? Have you not lived together for the last five months on the most amicable footing? Have you not, as I once before remarked on a previous occasion, resided under the same roof, eaten at the same table, slept in the same bedroom, and mingled in the same amusements during the hours of relaxation, without party bickerings or religious strife? Have your religious impressions been weakened by this improving and delightful intercourse with your associates of different political opinions and religious persuasions? I can confidently give a satisfactory answer to these important questions. I can safely affirm that you have not forgotten, or neglected, or ceased to cling firmly to your own religion; because you have been taught to respect the feelings and conscientious opinions of those of another creed. Perhaps, however, you may have learned the folly of feeling dislikes without well knowing why —of cherishing local prejudices, the result of ignorance or limited inquiry—and I should rejoice if you have formed virtuous and lasting friendships amongst your companions from various parts of your native land, which will shed a lustre and diffuse happiness around your future prospects in life."

Such were the results of this system. He believed that, if we did not, by some similar or corresponding means, promote education in England, Ireland would speedily show a superiority over us in the intelligence, attainments, and habits of her people. It behoved us, therefore, no longer to stand still. It was a libel on the labouring classes of this country to say that they did not appreciate the value of education. The National Society, in its Report for 1844, stated—"The poor, as well as the rich, now estimate the value of a sound education, and are found ready to pay for it. All experience tends to establish this truth." In the report of the Rev. Mr. Moseley, one of the Government Inspectors, he found these words:—"The labouring classes appreciate a really good education, and are prepared to make sacrifices to obtain it for their children." If the people were willing, was Parliament, was the Government to do nothing? Mr. Kay, in his excellent work on Education, showed that the poor rates were rising yearly in amount, and justly argued that education would have the certain effect of correcting that evil, by inspiring the poor with habits of foresight and feelings of independence. Mr. Redgrave, of the Home Office, also showed in his report that the most uninstructed were invariably the most criminal among public offenders. In the earliest arguments which he (Mr. Ewart) had ever used for amending, as he considered it, the criminal law of this country, he had always said—as an attendant on such amendment—"Educate your people. Be not content with giving them a horror of the punishment: give them a horror of the crime." You can only do so by religious, moral, intellectual, social education. The popular power must extend itself. The development of democracy seemed, as De Tocqueville argued, one of the necessities of our social position. People argued as if the progress of democracy depended on political changes alone. There was a far more powerful, though more silent, movement in its favour, in the deep under-currents of the social system. Every thing tended to raise, as it ought to raise, the position of the great mass of the people. For his part, he thought that, in this sense, Railways were a greater revolution than the Reform Bill. The one might give political influence; the other tended to social equalization. If, then, the popular

element must advance, was it not wise to inform the people? If they are to have power, enlighten, instruct, refine them; teach them how to reason, and teach them how to use their power. An ignorant and benighted democracy (such as now, thank Heaven, ours can never be!) is the worst of all tyrannies, because the most irresponsible. Had not instruction kept pace, to a certain extent, with democracy in America, the fury of a mob, or the wild instigations of the press, might have recently unchained the demons of hatred and of war. Again, therefore, he said, "Educate your people." But he did not wish either forcibly to interfere, or blindly to theorize. Let us, at all events, feel our way. Let us see if we cannot meet on some central ground. Let us, at least, give an account of what we are doing to the people of this country. In this spirit, with these convictions—believing that eventually his other propositions would be carried—he moved his first:—

"That early and comprehensive measures be adopted for extending the Education of the People; and that a statement be made on the state and prospects of Education, every year, by a Minister of the Crown, on going into Committee on the Education Estimates."

MR. CHRISTIE proposed to say a few words on a subject upon which he had frequently troubled the House—the state of the Universities of Oxford and Cambridge, to which they would shortly be called upon to vote a sum of money. He had given notice of a Motion for inquiry, in order to show the importance of the two universities as places of education, and the necessity of making them more accessible to the middle classes. He should be unable to bring the subject before the House at present, but he hoped it would receive the attention of the noble Lord (Lord J. Russell). He knew the opinion of the noble Lord on the subject of the exclusion of Dissenters from the two universities; and the House had, besides, in the Members for Waterford and Manchester, ample security that the Government desired the removal of invidious religious distinctions in those places of public education. He had moved for a return of the lectures delivered by the professors, and the attendance upon their lectures; and this return disclosed a system that would show any one that great reform was required in the University of Oxford. Dr. Buckland was not able to command at his lectures more than ten pupils on an average of each course. The professor of chymistry returned his pupils in 1843 as nine; in 1844, four; in 1845, thirteen; in 1846, sixteen. The returns from Cambridge were similar. The professor of natural philosophy, for instance, had now a class of not more than ten or fifteen pupils. He believed the mind of the university was in some degree prepared for the appointment of a Commission of Inquiry, and he believed some of the most eminent and distinguished men in the university would rejoice if such a Commission were issued. The grammar schools were intimately concerned in the state of the universities, because nine out of ten of the grammar schools of England were restricted in their choice of masters to members of one or other of the two universities. There was, therefore, a close connexion between the State and the subject he had now brought before the House, A vote would shortly be required for the University of London; and he wished to take the opportunity of saying, that he trusted the University of London would, by a vote of Parliament, be put in possession of those accredited advantages which would form an inducement to individuals to go to that university and to take their degrees. The University of London might be much benefited by making a degree obtained there a necessary condition to employment in the public service, and also by making a degree in law available in shortening the terms kept at the bar. The London University might thus be made available for the improvement of legal education, which was now in a deplorable state. He cordially supported the Motion of his hon. Friend for an annual return on the subject of education made by a responsible Minister of the Crown. A Minister of Public Education would exercise most useful control over the education of the country and over the universities. A suggestion had been made by Earl Grey, when a Member of that House, that certain lower departments of the public offices, the Post Office for instance, might be made useful in rewarding proficiency in learning in the schools. A minute of the Committee of the Council of Education last year contained a letter from the Rev. Mr. Dawes, in which that rev. gentleman, adopting the suggestion of Earl Grey, said, that the bestowal of offices in the lower departments of the public service upon those youths of sixteen or seventeen who underwent a voluntary examination would greatly encourage education among the lower

classes, and would be productive of much good.

VISCOUNT SANDON could not agree in the whole of the sentiments expressed by the hon. Member (Mr. Ewart); but he agreed that the time had come when something might be done on the subject of education. The experiments of the last few years had freed the subject from some of its difficulties, and enabled the House to see, that although private benevolence had been largely and liberally displayed, they could not and ought not to rely upon such sources alone. But if the State wished to give the people religious hearts, as well as to cultivate their minds, they must not give the go-by to the spiritual instructors of the people, but must take them along with them. The evidence of the success of recent experiments had prepared the minds of men to admit that the question could not be met except by some sacrifice of individual wishes on all sides. The noble Lord at the head of the Government was in a position in which he might effect more good than ever before. The country was disposed to give him the fairest possible trial, and to judge him, not *à priori* by the abstract wishes of men, but to accept him as a mediator between hostile parties, in which position he might effect a great amount of public benefit. This country was distinguished for its attachment to measures of practical good, and it would appreciate the Minister who should endeavour to carry them. The grammar schools had been alluded to, and no subject more earnestly demanded the attention of Government. At present they were often a positive obstruction to good, for the existence of a grammar school ill administered only prevented the establishment of better schools, which would in many cases be set on foot, if one did not already exist under the protection of an endowment. There was certainly a difficulty about interfering with such foundations. If they adhered too closely to the will of the founders, they would fetter all improvement; and on the other hand, if they neglected the feelings of the founders, they might unsettle the security of property, and prevent the bequeathing of property for such objects. He hoped that the Government would direct their attention to the grammar schools of the country, with a view to enlarge the educational objects to which many of them were now limited. Another question which well deserved attention was the difficulty of remedying any mismanagement of these institutions by means of the ordinary legal tribunals. At present there was, by the mode of administering the law in cases of this kind, a complete denial of justice. The expense of unopposed motions in court was no less than 70*l.*; and where any opposition took place, the costs were enormous. He believed that no one but a lawyer could remedy this evil; and he feared that there were very few lawyers who would be willing to undertake the task. There was, however, a noble and learned Lord (Lord Campbell) in the present Cabinet, whose official labours were not very onerous, and who might perhaps be able to devote some attention to the subject; and from the praise which that noble Lord had, in a recent work, bestowed upon those who had attempted to effect an amendment of the law, he would probably be the more anxious himself to found a claim to similar credit. He hoped that the experience of the last few years would not be thrown away upon hon. Gentlemen opposite, but that the noble Lord would endeavour to secure some practical and advantageous measure for the country in connexion with this important subject.

SIR R. INGLIS did not wish to follow his noble Friend (Lord Sandon) through all the topics upon which he had touched; but he fully concurred with the noble Lord that the present Government had a special claim to the generous confidence of the House. He considered that they were entitled to a fair and liberal trial, and he for one was quite prepared to give them such a trial. The hon. and learned Member for Weymouth (Mr. Christie), who was an advocate of free trade in everything else, proposed, as he understood, to give the University of London a monopoly with regard to education; for that hon. Gentleman suggested to the noble Lord at the head of the Government the propriety of compelling every person who wished to practise in particular courts to show that he was qualified to do so by adorning himself with such a degree as the University of London could confer. Now, if an attempt had been made to compel any person appointed to a clerkship in the Treasury, or to any other similar office, to come prepared with a degree from Oxford or Cambridge, he (Sir R. Inglis) suspected that a cry of monopoly would have been raised most vehemently by the hon. Member for Weymouth, and those with whom he generally acted. He hoped that the noble Lord at the head of the Government

would weigh well all the difficulties, as well as all the advantages, which might result from the adoption of the hon. Gentleman's suggestion with respect to the appointment of a Commission of Inquiry into the system of university education.

MR. WARBURTON considered that the Government ought not to neglect the suggestion embodied in the proposition of his hon. Friend the Member for Dumfries (Mr. Ewart). Those people in the humbler classes of life who received a better education than others in the same position naturally put this question—"When we have obtained a good education, how are we to apply our knowledge?" Now, the hon. Member for Dumfries very properly suggested, that with the enormous patronage of minor places possessed by the Government, they might lay down such a rule as had formerly been acted upon with reference to clerkships of the Treasury, that no person should receive such minor appointments unless they produced testimonials that they possessed a certain degree of education. He considered that no persons should receive appointments in the Excise, the Customs, or the Post Office, unless they had gone through a certain course of education. There were two public departments which had recently been actually brought to a standstill in consequence of the incompetency of the persons who held office in them. The first was the General Registry Office, established by the former Whig Government. The parties who received appointments as clerks in that establishment were so completely incompetent, that nearly two years elapsed before the office was got into any sort of work. The other establishment to which he referred was one created by the late Government—an office connected with the Court of Bankruptcy, and over which Mr. Montague presided. He had been informed, that in consequence of the incompetency of the young gentlemen who received appointments as clerks in that office, it was found quite impossible to get through the business of the establishment. The plan suggested by his hon. Friend would not only secure competent persons to do the work in the public offices, but it would also afford encouragement to the extension of education in the country. He had been told that the wholesome principle recommended by his hon. Friend had formerly been applied to the clerkships of the Treasury, but that it had been abandoned, and he thought most unwisely, by the late Government. He considered that one of the best practical modes which could be adopted for encouraging education, and he hoped it would receive the attention of Her Majesty's Ministers.

MR. W. WILLIAMS said, that the intention which had been expressed by the noble Lord (Lord J. Russell) to give special attention to the subject of education, had occasioned great satisfaction throughout the country. Some four months ago he (Mr. Williams) brought forward a Motion on the subject of education in Wales, and his suggestions had been favourably received by the then Home Secretary (Sir J. Graham), who promised to send inspectors into the country to ascertain the extent and progress of education. Notwithstanding the time which had since elapsed, he regretted to say that nothing had been done in the matter. He was informed, however, that the right hon. Baronet to whom he referred, had intended to act up to his promise by appointing a Commission of Inquiry on the subject, but that the uncertainty of the tenure of office by the late Government prevented this intention from being carried out. He regretted the inability of the right hon. Baronet to fulfil his promise; but he hoped that the present Home Secretary (Sir G. Grey) would give his attention to the subject.

MR. HUME was satisfied, from the attention he had paid to this subject, that it was as much the duty of the Government to provide a proper system of education for the people as to maintain a Poor Law for their support. He had regretted to find that a proposal for establishing a system of education to be maintained by the State, had been more strongly opposed by the Dissenters than by the Church of England. He considered that the duty of the State might best be carried out by regarding education as a civil duty, and leaving religious instruction to be communicated separately by the clergymen of the various denominations. Taking a list of the countries of Europe, he observed that in England the proportion of educated people was only as one in eleven; Belgium, one in ten; France, one in ten; Bohemia, one in eight; Friesland and the Tyrol, one in six or seven; and in all the rest, down to one in four, five, and six. Thus, England appeared to stand in the position of having the greatest amount of ignorance amongst her people. He also found that in Austria, Bavaria, France, Belgium, Holland, Prussia, and Switzerland, the chil-

dren of different sects were educated together, whilst in this country they were separated; and he knew well that in the Church of England schools, they would not allow the child of dissenting parents to enter. If they were in doubt as to the working of the united sytem, then he could understand why they hesitated to adopt it; but there was the example of Ireland. When he was in Dublin, he visited and examined every department of the school of the Irish Board of Education; and in spite of all that had been urged against it by many divines of the Irish Church, to him (Mr. Hume) it appeared to be an excellent institution, conducted in admirable style, and productive of the most satisfactory results. They might take an example nearer home—in Liverpool—where parties who objected to the system of education adopted there subscribed a large sum for the purpose of having an exclusive Church of England system of education established; but in the end, the system which had proved so successful in Ireland also triumphed in Liverpool. But the observations which he particularly wished to make had reference to the estimate which they voted the other night of the expenses of the prosecution and punishment of crime. It amounted to 870,000*l.*, exclusive of the immense expense of keeping up prisons. He was satisfied that if they took for education one-half the amount which was at present applied to the prosecution, punishment, and support of criminals, they should see the benefit of it in a few years, and would have the satisfaction of voting 800,000*l.* for the education of the people. For the sake of morals, economy, and their character as a Christian people, they ought to adopt a bold measure of that kind. The time was come when the Government ought to adopt the system which had been found so advantageous in Ireland, and so triumphant on the Continent. The country would be prepared to support them in carrying out such a scheme, and he could not for a moment doubt the success of it.

Mr. J. STUART admitted that this was one of the most important subjects that could occupy the attention of the Legislature; but he was not prepared to agree with the hon. Member who had just sat down, that the subject of education was more important than the subject of the Poor Laws; for he conceived that the subsistence and the preservation of the lives of individuals was even more important than the subject of education. He could not see that all the difficulties which embarrased this subject had been removed; and it appeared that the object of some hon. Members who had now supported the introduction of the subject, was to have a fling at the Established Church. He would not have intruded on the attention of the House but for the speech of the noble Lord the Member for Liverpool, who, departing from the subject of education, entered on the question of the administration of justice in the courts in this country, with reference, he presumed, to the subject of education. The noble Lord did not seem to be quite aware of the statute law recently passed on this subject, giving most extensive powers. [Viscount Sandon: I am.] The noble Lord, in the course of his sweeping observation, seemed to confound the schools which were the subject of endowment with those which were supported by the bounty of Parliament. [Viscount Sandon was not aware of any schools endowed by Parliament, though he was of schools endowed by Royal bounty.] He referred to schools aided by the bounty of Parliament, and that bounty descended so low that the University of London was the subject of a grant, and he as a taxpayer contributed his portion towards the course of education carried on in that university. The noble Lord said that lawyers would not, with few exceptions, assist in the amendment of the law. Now, he was not one of those who were ambitious of a seat in that House; but he entered it with the hope, that as an humble individual he might be able, from any knowledge and practice in his profession that he might have, to contribute his mite in assisting towards the amendment of the law. That there were evils in the administration of the law, no one would deny; but the noble Lord had instanced as a denial of justice a case where justice could only be obtained at the cost of 70*l.* in an unopposed matter; and said, that if the matter had been opposed, the expense would have been enormous. He wished the noble Lord had mentioned the case, and he would have aided the noble Lord in remedying what he considered to be an enormous abuse. His experience, however, had not furnished him with any parallel case. He wished the noble Lord, who made a sweeping accusation against the law, and the courts of justice, and the lawyers, to be a little more specific. He asked the noble Lord how it was that, knowing facts which

would be a disgrace to this country, he did not put them into a course of inquiry in that House? Sweeping accusations against courts of justice and lawyers had always been made; and he did not expect that the profession of the law would be a popular profession, or that that court in particular to which he had the honour to belong would ever be popular, or liked by the great body of the vulgar. When a case was brought before that court for the purpose of doing justice against a trust which perhaps for twenty years had been abusing the confidence bestowed on it, complicating accounts, and destroying vouchers, was it to be expected that the administration of justice in such a case could be otherwise than a long and excruciating process? And when the proceeding resulted in the punishment of a party guilty of fraud, was it to be expected that the Court could have the good will of that party? The persons who raised the outcry against the Court were the parties smarting under it; those who had had their frauds disclosed, and were compelled to make amends. From such parties he did not expect compliments towards courts of justice or towards lawyers. He should like to know whether there was any member of the profession whose assistance the noble Lord had invoked towards the amendment of the law, and who had refused it? It was very easy to call for improvements, but not so easy to make them. Why, there was now before the House a Bill, the effort of a society of gentlemen, not merely lawyers, including, as he believed, the hon. Member for Dumfries himself—the Society for the Amendment of the Law—and that Bill, which had passed the other House, was an instance of the enormous difficulty of any proceeding for the more effectual administration of the law. It was a Bill for facilitating the conveyance of Real Property—a subject which seemed simple enough; but that Bill, notwithstanding the labour bestowed upon it, was such a mass of absurdities and nonsense, that he believed no one in that House would stand up and take charge of it; he had in vain asked Members of the Government whether they acknowledged it; he should like to know whether the hon. Member for Dumfries would take charge of it. It would tend so to invalidate titles, that no man who valued the security of his property ought to take a conveyance under it. With respect to the law as to charitable trusts in particular, his experience led him to say that they could be dealt with very easily, and, as he believed, at a very moderate expense, though he would admit he had never had an opportunity of ascertaining accurately and exactly what that expense was. He was not prepared at present with any suggestion for putting the administration of that branch of the law on a better footing; perhaps it was because he felt more than some the enormous difficulty.

"But fools rush in where angels fear to tread."

He hoped the quotation might be used without offence, and would leave these few observations to the kind consideration of the noble Lord.

Viscount SANDON hoped he might explain. He was not aware that he had merited so severe an attack; he knew the poets were irate, but did not before know that the lawyers were equally so. He had not impeached the general purity of the courts of justice; but that they were excruciating in their processes the hon. and learned Member himself allowed. Long habit probably made the hon. and learned Member consider that excruciating process necessary; he had become used to it as inflicting it; but those who were retiring from under it were naturally not so well content with it. It was strange to hear it treated as a mark of a vulgar mind to complain of the process of the Court of Chancery as tedious and expensive, especially on the subject in question, since the very highest authorities of that court but a few days since had confessed that it was so. But with regard to the particular instance to which he had referred, it was a simple case, where it was desirable to make some change in a trust for the advantage of the parties concerned; and, on inquiring of a solicitor what would be the probable expense, the answer certainly was that it would be at least 70*l.*; and, if opposed, he could not tell what it would be.

Mr. HORSMAN suggested that the system of school inspection might be beneficially carried further than at present; not by compulsion, but voluntarily. Those schools which were inspected, and had reports of their condition published from time to time, would attract the greatest share of public confidence, and in that way the system would be extended, and might even be made to include the public schools. Reports might be made to Parliament annually. It was a remark of an eminent and intelligent foreigner, that when he went

among the middle classes in England, and into the manufacturing districts, he found the men better educated than the women; but when he went among the aristocracy, he generally found the ladies better educated than the gentlemen.

LORD J. RUSSELL: I think it will be better on this occasion if I confine myself to a very few observations, because there are remarks that I might make upon particular parts of this subject which would rather impede the progress which I wish this matter to make, than conduce to that end. With regard to the remark which the hon. Member has just made, and which relates to the first proposition of the hon. Member for Dumfries, I certainly can have no hesitation in repeating the assurance given by the late Prime Minister, and declaring that I think it right that in every year in which a vote for education is asked, a statement should be made of the progress of education during the year, and of the state of the people in this respect, so far as it can be ascertained, before that vote is called for. I think it will be the means of furthering education itself; and I think it is due to the House, to enable it to judge what further measures are fit. With respect to other parts of this question, I agree very much with what is stated by the hon. Member for Dumfries; but I own I do not think that there are in this country the facilities which he says are to be found in other countries, and which are found even in parts of the United Kingdom; and I think that one of the most serious obstacles in the way of any general plan with respect to education is the extent to which voluntary effort has already proceeded. When M. Guizot began the improvement of education in France, he had a law, enforced by despotic authority, establishing schools according to a certain organized plan throughout France. When the King of Prussia promulgated certain laws with respect to education, he had full and undisputed authority, with respect to that subject, to promulgate such laws as he thought fit. Those wise persons who sat in the Parliament of Scotland in 1696, and passed a law with respect to education in Scotland, had the full confidence of the people of that country, then united in one religion; and no doubt they acted in conformity to the national will, unequivocally expressed, and unequivocally obeying their law, when they passed the Act establishing parochial schools in Scotland. That is in some degree the case, though not nearly to the same extent, with what was done in Ireland, under the system introduced by Lord Stanley. But with respect to this country, we stand in a very different situation. The efforts of the National School Society have been in a very great degree successful. There is a vast number of children educated in the schools in connexion with that society. The British and Foreign School Society, which began earlier than the National Society, has, in many places, schools in connexion with it; and various denominations of Dissenters, the Wesleyans, the Congregational Dissenters, and others, have shown the greatest zeal and energy in the establishment of schools. Now, each of these bodies is very much attached to the particular model which it has taken for itself. They adhere very closely to the rules and regulations which they have thought the best; they are proud, and naturally proud, of the good which they have been able to accomplish, of the religious light which they have admitted into the cottages of the poor, and of the degree in which they have removed ignorance in the large towns of their country. It is therefore no wonder, and we are not to be at all surprised, that when we come in contact with any of these bodies, and propose an alteration of their schemes and regulations, we should find considerable resistance, and jealousy that some other religious body, or some other society, or the State itself, wishes to interfere with, perhaps to damage or to destroy, the work which it has been the object of their benevolent labour and their voluntary gifts to establish. I only state this as a matter which any Government or any Legislature is bound to consider in dealing with this important subject. But, on the other hand, I must state that I have been for years, and am now still more, impressed with the conviction, that after all these efforts; after really numbers of persons—clergymen belonging to the Church, Dissenting Ministers, persons in high station, and persons in low station—have shown the utmost generosity and zeal on this subject, yet the amount of ignorance in this country, the want of education, the degree to which the Gospel is entirely a sealed and unknown book, is a most lamentable fact—I say a lamentable fact; but, for my own part, I think the disgrace and dishonour of it to this country are light in comparison with the evil itself, and the fact itself, which we have to deplore. With respect to the resolutions which have been proposed to the House, I feel no difficulty in saying that I think additional training

schools would be an advantage; and, above all, I think it would be of advantage if the profession of schoolmaster could be made more honourable and more lucrative than it is. I do not know that there is any profession of more importance to the community. At the same time, I do not think that it would be sufficient that measures should be taken on the part of Parliament to give additional endowments for that purpose: I think it requires a change in the opinions of society; and I am very glad when persons like my hon. Friend the Member for Dumfries, who has devoted so much time and attention to that subject, call the attention of the public to it, because I think the expressions which fall from them tend to lead the public to attach greater importance to the point. My noble Friend opposite (Lord Sandon) has adverted to a very important subject in reference to the endowment of schools. I will carefully avoid any allusion to the course of remark into which he so unfortunately fell; but I will say, that I do think it is of very great importance that we should have some means of making the large sums which have been given to endow schools more useful than they are at present. I own I cannot carry my scruples to the extent to which my hon. Friend the Member for Oxford University (Sir R. Inglis) carries his, when he says that if there is a school founded for teaching Greek and Latin, and there is nobody who learns Greek and Latin, and the school is entirely useless to the community, you must yet keep it according to the very letter of that foundation, because the time may come when there may be persons who may wish their children to learn Greek and Latin. We know my hon. Friend's habitual reverence for all that is established and ancient; but I think it is carrying that reverence rather too far, when he says that he would not interfere with a foundation even in that case. I think you have some right to put yourself in the place of a founder of a school of that kind; and to ask, supposing that a person wished to found a school at this time, what would be the terms in which he would make the grant? I can well conceive that a person who was acquainted with the Greek and Latin books, which he was enabled to read in the year 1580, if he were informed what works can be read in the English tongue in the year 1846, would not confine the teaching to Greek and Latin in the school that he founded. It is very useful to read Cicero; but if a child is taught to read Jeremy Taylor, I do not think the substitution would be any very great loss. Sir, I have already said, I do not wish to enter much into this subject now; but I can assure the House that it is a subject to which I shall pay the most constant attention; and I do trust, that when it comes before the House again, I may have some statement to make which will show that the pains I may have taken have not been in vain.

MR. BORTHWICK considered that mere reading and writing did not make a good man, nor scientific acquirements a moral man. He wished to know how many Oxford scholars made the science of theology a study. The Member for Montrose, in speaking of the state of education in this country, referred to the amount of crime, and contended that this country was more steeped in crime than other nations. He denied the assertion. In England there was less crime than in France, Spain, or Portugal. A higher tone of morality prevailed in this country than was to be found in continental nations. Education was everywhere encouraged here, and the system of parochial education in particular redeemed such numbers from crime as must be gratifying to those who promoted this system. The noble Lord (Lord J. Russell) had, in a few sentences, disposed of those fallacies which had of late been so prominently thrust on the public; namely, the expediency of introducing the French system into this country. The French system might do for France, as the Prussian system might be of advantage to Prussia; but neither of those systems could be productive of any good, if introduced into England. The true object of education was not to make men learned, but to make them good men and good subjects. Education wrongfully imparted had only the tendency of making the criminal a more clever criminal.

LORD J. MANNERS gave his meed of approbation to the noble Lord for the statement of his intentions to the House. He would, however, make one or two observations on that portion of the noble Lord's remarks which appeared to convey his opinion that schools endowed to teach Greek and Latin had no means of altering their system. He would remind the noble Lord of the applicability of the *cy-pres* principle to this apparent difficulty. He must enter his strong protest against some of the observations addressed to the House by the hon. Member for Dumfries (Mr.

Ewart). That hon. Member had drawn a comparison between the systems and state of education in England and France, and had advocated the French system of instruction, in preference to the system in force in this country. Now if any one was desirous of informing himself of the true character and working of the French system, he would recommend him attentively to peruse a work by M. Cormenin, which gave such a full exposure of the system as would deter him from desiring to see it adopted in this country. It was quite impossible, considering circumstances connected with some of the French professorial chairs, to assimilate the French with the English system of instruction. He was well aware of the kind of popular argument that was constructed out of and founded upon statistical returns. The advocates of the French system constantly told them of every commune in France possessing its primary and secondary educational institutions; they were told of schools appointed by the State, and Ministers of Public Instruction responsible for the education of the people. All this doubtless sounded very well on paper; but the real state of educational affairs in France was to be collected from the able book of M. Cormenin. He should deeply regret to see that system on which our Church, and our charitable institutions were mainly founded—the system of private munificence—superseded by the French system. He should be sorry to see those splendid private efforts, which were founded on private virtue and self-denial, give place to the French system; for if that system were adopted, the same results would soon be witnessed here as were now witnessed in France.

Dr. BOWRING was surprised to find that his hon. Friend's remarks had been so misunderstood as to lead other hon. Members to believe, he wished to throw a check on those individual efforts which conferred so much honour on this country. He did not wish to see the despotic system, even in matters of education, enforced in this country; and, indeed, he thought the people of England would never consent to hand over their educational system to that species of despotism wielded by a Minister of Instruction. But he must say, that very little had been done for the education of the people in this country. It was disgraceful to the Government that this was so. In these days of peace, the requirements of the people ought to come prominently forward. The subject of education, in particular, ought to be investigated in all its details. He hoped no attempt would be made to impair the freedom of private munificence, or to restrain private efforts; but, at the same time, he must say, he considered the State was bound to furnish the means of giving the people a better system of instruction than that which was now to be found. These discussions in Parliament would do good. They would tend to elevate the character of the teacher, and to cause him eventually to occupy that position in the public mind which he certainly did not enjoy at present. Nothing could be more satisfactory to him than to find that the Government were about to give their attention to the subject. In the Votes, he saw a sum of 100,000*l.* was to be asked for the use of the British and Foreign School Society. Now, he did not complain of this vote; but if no other hon. Member took up the subject, he should, at the proper time, ask the House to inquire whether the British and Foreign School Society had kept faith with the public; and to ascertain if a violation on their part of the terms on which they had received the public money had not occurred. He did hope in these establishments that no religious tests would have been introduced. He understood, however, that some of the teachers had been rejected, on the ground that the doctrines they held were not exactly orthodox. The subject was one that ought to be investigated; and he feared, when an investigation did take place, the fact would be as he suspected. He hoped the attention of the House and of Government would be directed to the subject.

Mr. ESTCOURT, as one of the Members for the University of Oxford, felt it was impossible to allow the Vote to pass without expressing his great satisfaction at the tone which had been observed during the present discussion, by the noble Lord and other hon. Members, who had addressed the House. On former occasions attempts were made to impress the House with the belief that the promotion of public education ought to be the work of Government. But he would remind those who held this opinion, that the most successful and most advantageous national results had been accomplished by private efforts of individuals. He wished to express his anxiety for an increase of the number of establishments for training masters. Certainly, there was a period when ignorance greatly prevailed; but he had lived to see a great improvement in the system, and in particular, he

saw his neighbours now enjoying an improved means of education in consequence of having the advantage of a mistress from one of the training schools. He had been peculiarly gratified at hearing the noble Member for Newark and other hon. Members state their views on education. He was one of those who thought that the country would derive no advantage from making men good scholars, without reference to moral character. He agreed in the opinion that it was better to teach that system which made men good men and good subjects, rather than that system which sought only te make good scholars. He entertained a very favourable opinion of the establishments for training masters, and he hoped to see them endowed by Government.

MR. EWART, in explanation, said he never uttered any wish to introduce the French system into this country. He had only said that the French system of training masters and of normal schools was well worthy of consideration. He did not mean to say that religion should be left entirely out of account. Although he did not think it was advisable to have religion taught in the public schools, still he considered that the religion inculcated by the religious teachers ought to form part of the system.

House in Committee of Supply.

EDUCATION—ENGLAND.

On the Question, that 100,000*l.* be granted for Public Education in Great Britain,

MR. HUME thought it extremely desirable that, before called upon to vote money for this object, they should have before them an account of the manner in which the Votes of money in previous years had been expended. He regretted to say that, so far, the practice had been to favour the richer and to neglect the poorer districts. He did not object to the amount required; he only hesitated to approve of the mode of application.

MR. PARKER could assure the hon. Member that the details which he asked for were to be found, at full and satisfactory length, in the Minutes of the Committee of Council.

MR. WILLIAMS considered the system altogether bad of Government, before it advanced money, waiting for proofs of power to co-operate on the part of those who applied. There ought to be an inspection of the means of providing education in every parish throughout England and Wales, and the liberality should be greatest in those districts which were found to be the most destitute.

DR. BOWRING wished to know what proportion of the money went to the National Society.

MR. ACLAND could not answer as regarded this year. Last year the National Society made 430 applications, and there were granted 70,554*l.*, the whole of which was accepted. From the British and Foreign Society there were 16 applications, and the grants to that society amounted to 20,500*l.* It would, therefore, appear that the National Society was most anxious for an extension of education.

MR. HINDLEY thought that the hon. Member had made a somewhat unfair use of the question, and of his information. The hon. Member desired the House, apparently, to understand that, among the Dissenting body of the population, the anxiety for a better and more comprehensive education was exceedingly slight; but it should not be forgotten, that by the principles which they professed, they were precluded almost altogether from availing themselves of the State aid. The Dissenters were strongly of opinion that it was not right and not politic that education should be in the hands of the Government; and for that reason they rejected the assistance which might be derived from the Government, and of which the professors of other religions did not hesitate to avail themselves.

The CHANCELLOR OF THE EXCHEQUER could not see that anything had fallen from the hon. Member (Mr. Acland) to justify the reproach which had been heaped upon him; and he was very sure that the hon. Member was the last man in that House to offer an insult to any body of men. Nothing could be more gratifying than the good feeling which had that evening marked the discussion, on whatever side of the House it had been taken up, on this subject; and he trusted that nothing would occur to vary that characteristic. He agreed entirely with the hon. Member for Montrose in thinking it expedient that before coming to this Vote, they should, in future, have before them that information from which they might learn in what manner and where the money was applied.

Vote agreed to.

EDUCATION—IRELAND.

On the Question—the sum of 85,000*l.* required to enable the Lord Lieutenant of

Ireland to issue money for the advancement of Education,

SIR R. INGLIS wished, without seeking to discuss the questions of education in Ireland, to take that opportunity of urging on his noble Friend at the head of the Government the expediency of doing what he would call common justice to their fellow subjects, members of the Established Church in that portion of the kingdom. He believed that no body of men were more entitled to complain of the system which provided for public education; and what they had demanded, as satisfaction and as justice, was that they should be permitted to apply to the Committee of Privy Council, as members of the National Society. This question had been raised eighteen months ago; and the application, though urged by the Lord Primate of Ireland, was by the then Prime Minister rejected. It should always be borne in mind that the members of the Church in Ireland were members of one united Church; and, if it were just to continue in Ireland a system of education from which that Church derived no benefit, yet, at any rate, they ought to be placed, in their applications to the Committee of Council, on the same footing as their brethren in England.

MR. HUME: So far as he could judge from observation, the educational system in Ireland was administered in perfect fairness; but he was sorry to observe much bitterness of feeling excited by the Protestant clergy in preventing the children over whom they had control attending the national schools.

MR. BORTHWICK had hoped that the contiguity of the hon. Member for Montrose to the protectionist benches would have imparted a little more liberality than he showed on this occasion. All the Church of England sought was equal freedom of educating the children of her communion with that of other religious denominations. As far as the religious teaching of the people was concerned, he believed that the system of Sunday schools might be most profitably and entirely superseded by means of the Church itself.

LORD J. MANNERS rose to support the appeal of the hon. Baronet the Member for the University of Oxford. He did not ask the noble Lord at the head of Her Majesty's Government for any pledge on this subject, or for any expression of opinion, but begged him to take into his consideration the very anomalous and unfair state of national education in Ireland. He could not conceive how he could tell the Irish people that they had the same laws as the English, when the very first Votes they were called on to approve of showed that the system of education was quite different in the two countries. In England money was given to support that system which was approved of by the majority of those for whose benefit it was intended, or was distributed to the various religious bodies. In Ireland the fact was quite the reverse. The whole of the money was given to support a system of education against which not only the English Church, but the great bulk of the Roman Catholics protested. The hon. Member for Cork had, in the most distinct and emphatic terms, admitted that the claim of the hon. Member for Oxford was just, fair, and equitable. How could that be called a national system of education which excluded one-fourth of the people from its advantages? It appeared that a great number of the people were educated by a system set up in opposition to the National Board. But the House said to those who did not approve of this system, "We will not educate your children at all, unless you approve of that system which has been established by us in our wisdom within the last few years." When he read of the addresses and deputations which had been presented to the Government by a large portion of the intelligent people of Ireland, he thought their opinions entitled to some consideration. Indeed, he was bound to say that the way in which hon. Gentlemen in that House treated those appeals was one of the most extraordinary phenomena of the present day. Thinking that liberty of conscience should be respected, and that the minds of the Irish people should not be alienated from this country by disregard of their feelings and opinions, he would press on the noble Lord at the head of Her Majesty's Government the wisdom and the justice of listening to the appeal which had been made to him.

MR. G. A. HAMILTON said, he admired so much the temperate and conciliatory tone of the speeches which the noble Lord at the head of the Government had made, both on the present and on the preceding evening, that although he felt very strongly on the subject of the national system of education in Ireland, he had determined not to offer a single remark on the vote before the Committee which could excite an angry or irritating discussion. He agreed most fully with the noble Lord in the opinion he had expressed last night,

that the improvement of the social condition of the people of Ireland was an object of such prominent importance at the present time, that it outweighed every other question affecting that country, however important; and he also agreed with the noble Lord in thinking, that with a view to that improvement, it was most desirable to avoid, as far as possible, the discussion of any topics involving party differences in Ireland. Acting on that principle, he would not even now be tempted by the observations of the hon. Gentleman the Member for Montrose, to depart from the course he had prescribed for himself, and would not therefore enter at all into the question of the national system of education. But he must say, in consequence of the remarks of the hon. Gentleman, that if the Protestant Clergy and gentry of Ireland objected to that system, and did not lend their sanction in promoting it, it was because, in their opinion, there was a principle of vital importance involved in it, to which they could not conscientiously subscribe, and which presented an insuperable obstacle to their giving their adhesion to it. He would join in the appeal made to the noble Lord at the head of the Government by his hon. Friend near him, the Member for the University of Oxford, and supported by the noble Lord the Member for Newark; and he confidently believed that if the noble Lord would give his mind to the subject, before the next Session of Parliament he would find that without any infringement upon what might now be considered the settled principles of the national system, this irritating question might be settled in the manner suggested by his hon. Friend to the satisfaction of all parties in Ireland.

MR. LABOUCHERE had no intention of speaking at any length on the question, and only rose lest his silence should be misinterpreted, and lest any one might suppose that he, as a Member of Her Majesty's Government, entertained the smallest doubt of the duty which was imposed on them of maintaining and supporting that principle on which the national system of education in Ireland had been founded. There were no circumstances connected with that country which inspired him with greater hope and pleasure than the belief that, owing to the instrumentality of that system, the people of Ireland were enjoying the advantages of an education which many other countries, more fortunately situated in other respects, did not participate. He thought it was full of hope for her friends that the youth of that country were being trained up in habits of morality and religion, of which he believed the most incalculable advantages would be found in time. The system had been wisely introduced, had, as he believed, worked excellently well, and was receiving less opposition every day.

SIR R. INGLIS declared that it was only doing him justice to say that he had carefully abstained from expressing any opinion as to the national system of education in Ireland. He had urged on his noble Friend at the head of Her Majesty's Government the justice and expediency of giving to those members of the Church of England who lived in Ireland the benefit of a common share in national education on principles on which they could accept it. Whatever might be his feelings on the subject, he did not say anything in reference to the merits of the national system itself, and the hon. Member the Secretary for Ireland misunderstood him if he thought so.

Vote agreed to.

SCHOOL OF DESIGN.

On the Question that 5,381*l.* be granted to defray the expenses of the School of Design in London and the other Schools throughout the Kingdom connected with it,

MR. EWART took occasion to point out room for improvement in the existing system. He thought that the provinces should find their own schools of design, receiving whatever assistance might be necessary from the Government.

MR. HUME suggested that the surplus of the sums received for registering designs, which appeared by the report which had been presented to the House to amount to 9,000*l.* might be applied to the purposes of the schools of design.

DR. BOWRING thought the Government ought to establish some tribunal to decide on the copyright of designs, and would recommend them to follow the example of France in this respect. He believed the establishment of the councils of *prud' hommes* had done more than anything else to contribute to their excellence in this branch of art.

MR. BORTHWICK hoped there would be some limit to the system of following the laws of France, which was so often urged on them. He could not see why the tribunals which decided all other matters in this country could not decide on the copyright of designs also.

Mr. HEATHCOTE was understood to say that the property of all the designs which had ever been registered would not cover the expenses of one single case in the existing tribunals. As to the Registration Act itself, no one knew how it worked, or what service it was of, and it was therefore evident it could not last very long.

Vote agreed to.

BELFAST ACADEMY.

On the Motion for 2,600*l.* towards defraying the charge of the Royal Belfast Academical Institution,

Mr. HUME wished to know on what ground there had been an increase in this vote of 500*l.* He wished to know whether any application had been made for this grant for biblical instruction in this institution.

Sir J. GRAHAM said, that this increased sum was for four professors of divinity in the institution in Belfast, each receiving 125*l.* When the Irish Colleges Bill passed last year, no provision was made for the religious instruction of the people. In the north of Ireland sufficient provision did not exist for the religious instruction of those who were intended for the priesthood of the Orthodox Presbyterians. A deputation had waited upon him upon the subject, composed of the moderator and four eminent clergymen, members of the Orthodox Synod of Ulster, and strongly urged the necessity of such a grant. It was considered by the Government that it was only fair that something should be done for training the priesthood of such a numerous body as this class of Presbyterians in the north of Ireland, and consequently this small grant was made.

Mr. LABOUCHERE said, he felt considerable difficulty in referring to the subject, as he had not the advantage which was possessed by the right hon. Gentleman opposite of having fully entered into the case, for he (Mr. Labouchere) knew nothing of it except from what he had heard. There was no question of principle involved in it; but he certainly could not help thinking that there would have been an advantage in postponing this arrangement until the Queen's College, which was now founded in the town of Belfast, had been established. However, as those professors were connected with such a body as the Presbyterians of the north of Ireland, he should certainly be very sorry to take any step that could in the slightest degree be deemed hostile to them; and the vote having been brought forward on the responsibility of the late Government, who had evidently gone into the subject, he should feel it to be his duty to support the resolution. This, it should be recollected, was an annual vote. The question would be brought forward again in the Estimates of next year, and the House would then, if it thought proper, have an opportunity of reconsidering the item.

Vote agreed to.

THE NATIONAL GALLERY.

On the Question that 3,390*l.* be granted for the National Gallery,

Mr. BORTHWICK objected to an item of 630*l.*, being the price of a portrait purchased for the National Gallery as a production of Hans Holbein. No man who knew anything of art would say that it was. The purchase had been made under an erroneous impression, though the right hon. Baronet the Member for Tamworth (Sir R. Peel) was understood to have had a part in the matter.

The CHANCELLOR of the EXCHEQUER observed, that in this case a deception had no doubt been successfully practised. Hopes were entertained that the sum might be recovered from the vendor; but it was found impracticable to resist the claim.

Mr. HUME wished to know if there had been a recommendation in writing to purchase the picture. If not, he trusted this would be a warning in future that no such purchase should take place without a written recommendation.

Sir J. GRAHAM stated, that for many years he had been one of the trustees of the National Gallery. It was very easy for the hon. Member for Evesham (Mr. Borthwick), in the absence of the right hon. Member for Tamworth (Sir R. Peel), to speak contemptuously, and it was very safe. It was necessary to tell the hon. Member for Evesham that the right hon. Member for Tamworth, though a trustee, had, for the last four or five years, had other avocations, which materially interfered with his attendance. The trustees were in this instance deceived. They employed people in whom they could confide; and the party consulted in the present case had never before been known to be wrong. He was now dead. In this case, beyond all doubt, his judgment was wrong; but, though the picture was not one of Holbein's, it was not generally admitted to be a bad picture. The hon. Member for Newark knew something of the reasons

which prevented the trustees from seeking redress. Though not judges of pictures, they were judges of the expense of litigation; and they thought it better to advise Parliament to pay the price rather than seek redress with a clear case in a court of law.

MR. BORTHWICK explained. He was called upon to give his assent to a vote of 630*l.* for a picture which he would venture to say no one could now be got to give 30*l.* for. He thought he had a right, therefore, to comment on the praise which the right hon. Baronet the Member for Tamworth had given to the work.

SIR JAMES GRAHAM begged to remark, that in consequence of the mistake which had been committed on the occasion alluded to, a regulation had been made, by which there would be placed on record the opinions of accomplished and competent judges on any work of art proposed to be added to the National Gallery before any future purchase was made.

Vote agreed to.

NEW ZEALAND.

On the Question that 30,000*l.* be granted to defray the charge of the Government of the Colony of New Zealand,

MR. WILLIAMS called attention to a paper recently printed, giving an account of the conduct of the prisoners sent out to New Zealand from Parkhurst, from which the House might see what had been the good effects of the large expenditure upon those criminals. The conduct of the boys was described in a letter from a missionary as being of the worst kind. He should like to know to what purpose the Bills to the amount of 21,134*l.* were to be applied?

MR. G. W. HOPE said, that although the vote was not framed when he left office, he believed this sum was put down to make up the round sum of 30,000*l.* This increased expenditure was necessary, to give Governor Grey the chance of retrieving the affairs of the Colony. It was absolutely requisite he should have funds provided on which he could draw in the first instance. The House might safely leave Governor Grey a discretion as to the amount of the draughts he should draw on the credit now given, as from his previous career there was no doubt he would justify the confidence Parliament might place in him.

MR. HUME wished to ask whether, when a colonial Governor committed this country to a large expenditure of money, any inquiry was instituted into his conduct by the Colonial Department. It appeared to him, that any person sent out as the Governor of a Colony might expend what money he pleased without being called to account. He wished to know whether Captain Fitzroy had returned to this country; and, if so, whether his conduct while he was Governor of New Zealand had been inquired into? He considered that, when Captain Fitzroy arrived here, a Court of Inquiry should immediately be appointed to investigate his conduct. He believed that Captain Fitzroy had been influenced by good intentions; but such an inquiry as he suggested might prevent other persons who held similar appointments from acting in the same manner.

LORD J. RUSSELL said, that when the appointment of Governor of New Zealand was offered to Captain Fitzroy, that gallant officer held a permanent public appointment in this country, and had discharged his duties most satisfactorily. He believed that Captain Fitzroy had been influenced in accepting the government of New Zealand by a desire to benefit the Colony, and that he had acted with the best motives; but he had been placed in a very difficult position, and he had certainly acted in defiance of what might be termed the generally received maxims of colonial government, though he had no doubt from a desire to benefit the public service. He considered that Captain Fitzroy had committed grave errors, and the consequence of his conduct had been most serious; but that gallant officer had himself been the loser by those errors, both in interest and reputation. Captain Fitzroy had been recalled by the Government who had appointed him; and he (Lord J. Russell) really thought that enough had been done in the matter. He was not disposed to institute any further inquiry on the subject.

SIR R. INGLIS thanked the noble Lord for having formed so generous, but at the same time so just, an estimate of Captain Fitzroy's motives. Whether that gentleman had exercised a sound discretion in his mode of policy was another question; but that he was actuated by motives the purest and the most honourable could not be doubted for one instant. He had made great sacrifices, and suffered very severely.

MR. G. W. HOPE said, that Captain Fitzroy abandoned an appointment in this country worth 900*l.* a year, and a seat in Parliament, in order to accept the governorship of New Zealand at a salary of 1,200*l.* a year. When the expenses of

proceeding to such a distant Colony were considered, there could be no doubt that, in a pecuniary point of view, Captain Fitzroy must have been an actual loser, even if he had continued to hold the appointment for a longer period. He believed that Captain Fitzroy was principally influenced, in his acceptance of the appointment, by a desire to promote the civilization and welfare of the aborigines; and the injury to the high professional reputation he had long maintained, which resulted from his recall, was in itself as heavy a sacrifice as a man in his position could be called upon to bear. He could name other persons who had occupied similar stations, and who had fallen into similar errors, who were still suffering most severely from the consequences of those errors, though they had not been called to any pecuniary account.

MR. WILLIAMS observed, that this question seemed to be treated as a mere pecuniary matter; but it must not be forgotten that through the imbecility and total incompetency of Captain Fitzroy, the lives of some of the principal inhabitants of the Colony had been sacrificed. If no inquiry was instituted into his proceedings, they would hold out encouragement to similar misconduct in future.

MR. G. W. HOPE, in justice to Captain Fitzroy, must state that the loss of life to which the hon. Gentleman referred, took place three months before the gallant Captain arrived in the Colony.

Vote agreed to.

CAPTURED NEGROES.

On the Question that 20,000*l.* be granted for the expenses of Captured Negroes,

MR. HUME expressed his belief that the expense of keeping up a fleet on the coast of Africa was unnecessary, and the system only led to a waste of human life.

VISCOUNT PALMERSTON said, that he was decidedly of opinion that the methods used to put down or diminish the Slave Trade had been attended with beneficial effects. From an account of a gentleman, it appeared that during the period, three or four years, which he passed in Brazil, the price of slaves had risen considerably, which was evidently a consequence of the interruption of the slave traffic. The result was not only a great diminution in the number of the victims of the Slave Trade carried over to America; but also the condition of the slaves in the Brazils had been essentially improved, as the owners of slaves, in consequence of their additional value and the increased difficulty of procuring fresh slaves, had begun to treat their slaves with greater kindness. Consequently, the condition of every slave in the Brazilian Empire had essentially improved from the mode adopted by this country to diminish the extent of the Slave Trade. Therefore, from all he had seen and heard, it was his belief that there was a diminution in the number of negroes carried to America, and an improvement in the condition of the slaves in America. [MR. HUME: What is the opinion of naval officers?] He could inform the hon. Member that a very able officer, who had been some years employed on the African station, had assured him, when out of office, and when therefore there was no motive to say anything flattering to him, that if the system pursued when he was in office had been continued for two years longer, he verily believed that the Slave Trade on the coast of Africa would have been entirely put an end to.

MR. HUME said, that the noble Lord did not seem to be aware that that statement was a compliment to him; and he ought not, therefore, to have given credit to it.

VISCOUNT PALMERSTON said, that what the officer meant was, that the system of naval interruption, in pursuance of treaties connected with the right of search and operations on shore, would have been so effective that the Slave Trade would have been put down entirely.

MR. BORTHWICK said, that while admitting that the number of slaves carried to America might have diminished, he believed that the number taken from Africa had increased, a great proportion of the slaves dying on the passage, in consequence of the horrible treatment to which they were subjected.

VISCOUNT PALMERSTON was informed that the number of negroes carried from Africa in the last year was considerably less than in former periods. The Portuguese Government were acting in good faith, through their authorities, in preventing the export of negroes from their territories; the Governor of Cuba acted in the same spirit more than formerly; and the operations on the coast of Africa were to a certain degree successful. He had been informed the other day in Paris that the joint efforts of France and England had resulted in the conclusion of about thirty treaties with chiefs on the coast of Africa, by which those chiefs bound themselves to prevent the export of negroes from their territories. If it were possible to make

similar agreements with the chiefs all along the coast, it was obvious that that would go a great way to prevent the continuance of the Slave Trade.

Agreed to.

House resumed. Committee to sit again.

House adjourned at One o'clock.

HOUSE OF LORDS,

Monday, July 20, 1846.

MINUTES.] PUBLIC BILLS.—1ª. New Zealand Loan.
2ª. Saint Asaph and Bangor and Manchester Dioceses.
PETITIONS PRESENTED. By the Duke of Buccleuch, from Bristol, and a great number of other places, against the Union of Saint Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.

ST. ASAPH AND BANGOR AND MANCHESTER DIOCESES BILL.

The Order of the Day for the Second Reading of this Bill being read,

The EARL of POWIS (who was imperfectly heard), said that it was not his intention, on the present occasion, to enter into any long statistical statement. He had trespassed too often on former occasions to render it desirable to address their Lordships at greater length than was necessary to bring the question distinctly before them. He would therefore at once bring to their Lordships' notice the circumstances under which this application was made. Their Lordships were aware that in the year 1835 a Commission was appointed to consider the state of the Established Church. Amongst other topics which occupied the consideration of the Commissioners was a project of establishing a bishopric of Manchester, and in connexion therewith of uniting the two sees of St. Asaph and Bangor. The reason given for that union was an objection existing on the part of certain persons to an increase of the episcopacy of the Establishment. The union of the two old sees of St. Asaph and Bangor was not a popular question, and it was necessary, in order to make it palatable, that some consideration should be held out as an inducement to accede to it. The inducement held out was the importance of establishing in the great and powerful district of Manchester, and other parts of Lancashire, the immediate superintendence of a bishop. Their Lordships acquiesced in the importance and justice of such a proceeding; but the deprival of one of their bishops was not very popular with the people of the Principality. Both the bishops were highly respected; and it was deeply regretted that they would not have successors. The Commissioners felt that it was necessary, in order to palliate the destruction of the see, and qualify the evil thus inflicted, to hold out some bonus to the Principality; and therefore their first report recommended that when the sees of St. Asaph and Bangor were united, the surplus income should be applied to the augmentation of their smaller benefices. He felt he was now introducing the subject to their Lordships' notice under different circumstances than heretofore; Sir R. Peel and his late Colleagues had been succeeded in the Government by the noble Marquess the President of the Council, and the noble and learned Lord on the Woolsack as Lord Chancellor. He asked those noble Lords, in the station in which they stood, to do justice to his countrymen and his Church, in consequence of the alterations made in the second report of the Commissioners, to which they had made themselves a party. He appealed to the noble Marquess, and asked him, if a case of a similar character as this occurred to him in private life, how he would act? If the noble Marquess had obtained power over a property upon the promise of certain considerations, whether he would, after having gained possession of the property, first decline to perform the conditions, and insist upon retaining the property for which he had refused the consideration? He should like to see how a person who presumed to suggest such a course would be dealt with in Lansdowne House—whether he would not have the alternative, and but short time for deliberation, submitted to him, of taking himself off either by the door or the window? His countrymen were the parties who felt that they had not been fairly dealt with in respect to this measure, and complained of the considerations entered into with them having been withheld. On the part of his poor countrymen he felt himself called upon to bring forward the present proposition, in the hope that that consideration would be given to it which that House of Parliament invariably gave to questions of property such as this was when weakness appealed to their justice. He knew no better way of bringing the case before their Lordships than by reading a petition which he had the honour early in these proceedings to present and read to the House, which petition embodied in eloquent language the case of his countrymen and their Church. The petition

emanated from the inhabitants of the Isle of Man, and was as follows :—

"That your petitioners will ever most gratefully remember the powerful co-operation and the generous support which, in that arduous struggle, they received from the universities, the various chapters, archdeaconries, and numerous bodies of the clergy and laity of England and Wales, in advocating their cause with your right honourable House; and still more do your petitioners feel impressed with gratitude to the Parliament of the United Kingdom for their gracious compliance with the earnest prayers of the Manx people. That your petitioners feel in a peculiar manner the affinity between the sees of Sodor and Man, of St. Asaph and of Bangor (I entreat your Lordships' particular attention to the following sentences)—all bishoprics of independent States for many centuries previously to the Isle of Man and the Principality of Wales being incorporated in the British dominions—all in the earliest time endowed with funds for the maintenance of their several churches within their respective dioceses—all amid the revolutions of succeeding ages, the change of dynasties, and the reformation in the Anglican Church, preserved unimpaired by the storms of time or the sacrilegious hand of arbitrary power;—and all having poor, scattered populations, requiring the entire care and attention of the most zealous bishop. With these recollections, your petitioners feel themselves called upon as fellow Christians to return good for good, sympathy for sympathy, and most respectfully to express their earnest hope to your honourable House that these two most interesting remains of the episcopacy of former days, which ages of barbarism, of war, and of revolution have spared, may not, in these enlightened times, be sacrificed to the expediency of measures which, however otherwise important, they beg leave most respectfully to express their hope, may by other means be attained. That the ancient revenues of these sees may not be diverted from their legitimate object to assist in founding another see in a district unconnected with their own, and which is one of the most wealthy in the kingdom, but that the inhabitants of North Wales, by the blessing of Divine Providence, and through the wisdom and the justice of Parliament, for all time yet to come may be permitted to retain unchanged the incalculable advantages of their present Episcopal Establishment; and each see to continue to possess a separate resident Bishop to preside over their churches, and personally to superintend and promote the spiritual and the temporal welfare of the people; and that at a time when it has been deemed expedient by the Government, and sanctioned by the Crown, to consecrate Prelates to all the widely-extended Colonies of the Empire, in the four quarters of the globe, and even to the more recently discovered shores of Australia; and whilst the rapidly augmenting population of the British Isles would appear likewise to demand an augmentation of episcopal superintendence, your petitioners would willingly hope that the next step in this great work will not be connected with the extinction of one of the very ancient bishoprics of the most ancient people of Britain."

The noble Earl then proceeded to refer to the petitions he had presented that evening from Gloucester, Essex, Manchester, and other places, and condemned the unconstitutional power with which the Ecclesiastical Commissioners had been invested, which gave to their fiat the effect of an Act of Parliament, and at the same time deprived his countrymen of those means of resisting an arbitrary measure in the various stages of its progress through the House of Parliament, which the usage of Parliament gave to all whose rights and privileges were interfered with by its authority. With respect to the union of the two sees, he would affirm that the measure of which he complained would never have been carried, if it had been obliged to stand the test of discussion in their Lordships' House, instead of being silently established by Order in Council. He would now take leave to read to their Lordships an address to himself from the incumbents of livings under 200*l.* per annum in the archdeaconry of Montgomery. It was in reply to a request from himself that they would be pleased to express their opinions of the respective measures proposed by Lord Monteagle and himself. The address did honour to the poor but exemplary men from whom it emanated. He (Lord Powis) was proud to be allowed the honour of calling himself their countryman :—

"TO THE RIGHT HON. THE EARL OF POWIS, K.G.

"May it please your Lordship—We, the undersigned incumbents of small benefices in the diocese of St. Asaph, beg leave to approach your Lordship with every sentiment of gratitude for the zealous efforts in which your Lordship is so nobly persevering to recue the Church in North Wales from the reckless spoliation with which it is threatened.

"Your Lordship has announced a desire in your letter lately addressed to the dean and chapter and clergy of St. Asaph, 'That the opinion of the clergy of the North Wales dioceses should be distinctly expressed in respect of Lord Monteagle's and your own course of proceeding.'

"We, therefore, as humble Members of that body, lose no time in responding to this appeal by making public our emphatic declaration that we indignantly repudiate the very thought of wishing to avail ourselves of any such disposition of the episcopal revenues as that contemplated by Lord Monteagle.

"We feel no shame in avowing our poverty, nor the satisfaction with which any legitimate increase of worldly means would be hailed by any or all of us; but if we would shrink from the offer of being enriched by any violation of the rights of private property, still more do we recoil from the bare idea of sharing in spoils arising from what we consider a most unjustifiable act of interference with ecclesiastical endowment.

"With unceasing prayers that it may please God of His mercy and goodness to grant a favourable issue to your Lordship's exertions, and to ward off the blow which we are more and more convinced would be followed by the most disastrous results to the Church—We have the honour to remain, &c."

These were amongst the many reasons which justified him in again pressing this subject upon their Lordships' notice. He begged to remind their Lordships that of the Members of the Commission appointed to report upon the union of the sees of St. Asaph and Bangor, no less than three of them, men of weight and authority with their Lordships, had avowedly changed their opinions upon the subject—the Archbishop of York, Lord Harrowby, and Mr. Williams Wynn, another highly respectable Member of the Ecclesiastical Commission. He believed there never was a case in which the right rev. Bench had given their opinion more decidedly than they had as to the impropriety of the union of these sees. The clergy almost universally were opposed to the measure, and he thought he had said quite enough to justify the course he had taken in asking their Lordships to assent to a repeal of those portions of the 6th and 7th of William the Fourth to which he objected. The transfer of the noble Marquess and his Friends from one side of the House to the other, might not, perhaps, be attributable wholly to the course the late Government had pursued with regard to the union of those sees; but he had no doubt the opposition of the late Government had created a feeling which had had its influence in producing the results which they now witnessed. The noble Earl then referred to the petition that had been presented from the Dean and Chapter and Clergy of the Archdeaconry of St. Asaph against the union of those sees:—

EXTRACT FROM THE PETITION OF THE DEAN AND CHAPTER AND ARCHDEACONS AND CLERGY OF THE DIOCESE OF ST. ASAPH.

"Your petitioners fondly hope that the same period in which the peculiar claims and feelings of the inhabitants of the sister island have received additional proofs of liberality, may not witness the violation of the most ancient and valued institutions of the Church in Great Britain.

"Your petitioners ask not for any accession of income or augmentation of honours; but they respectfully deprecate the extinction in their own district of that apostolical office the benefits of which your wisdom has lately extended to our most distant Colonies; they humbly pray that the primitive Church of their forefathers may not be weakened in its day of adversity, and that the efficient superintendence which can alone meet the growing exigencies of their country may be preserved unimpaired, a monument of the Legislature's gracious care for the Church, and a security for the religious welfare of all future generations.

"Your petitioners further declare that their sole object is to preserve the efficiency of the Church, and practically to enforce those doctrines which were embodied by her venerable reformers in her Liturgy, Articles, and Homilies; and they are anxious to record their conviction that no presumed advantage from the problematical increase to the incomes of the parochial clergy can in any way compensate the interests of religion in North Wales for the diminution of the number of our spiritual overseers."

It was signed by 160 or 170 clergymen, and pointed out in strong and forcible terms the mischief and inconvenience that would result from such a measure. The noble Earl called upon their Lordships to retrace steps discouraging to the Protestant religion in North Wales, and particularly objectionable at a moment when a rival Roman Catholic establishment was in progress of erection in sight of the cathedral of St. Asaph, which the Act he objected to proposed to deprive of its spiritual head; and concluded by moving the second reading of the Bill, which was the same as that of last year, with the exception of a few verbal alterations.

The MARQUESS of LANSDOWNE said, it devolved upon him to state to their Lordships the grounds on which he felt it his duty to resist the Motion of the noble Earl. The difficulties under which he laboured in asking their Lordships' attention to that subject, arose not so much from their Lordships not being acquainted with it, as from the great familiarity which they had acquired with the subject, and the frequent discussions that had taken place. The noble Earl who had introduced the subject to their attention on former occasions at great length, had, on the present occasion, treated it much more briefly, although not less energetically and powerfully; and he (the Marquess of Lansdowne) would imitate his example, and state, as concisely as he could, the reasons that induced him to oppose the Motion of the noble Earl. Their Lordships should bear in mind, in order to arrive at a fair conclusion on the subject, the date and origin of the Commission which was issued by the Crown on the subject. The changes that had been recommended and adopted could not be viewed in an isolated point of view, but must be considered as a system of changes, each of them hinging upon the other, as they were recommended to the Crown and to Parliament. In 1835, under the administration of Sir R. Peel and the noble Duke the Commander in Chief, whom he did not then see in his place, a Commission was issued for the purpose of considering the most effectual mode of improving the condition of the Church. That

Commission made a report, after having maturely considered the whole state of the Church, in which he found four principles laid down: the first was, that they were not prepared to recommend any increase in the number of sees in England; the second, that they were prepared to recommend the union of particular sees in cases where the sees were of such dimensions as to make it practicable for one bishop to exercise the united functions of both sees; thirdly, they recommended the establishment of certain new bishoprics; and fourthly, they recommended a new distribution of the lands annexed to the bishoprics. Looking at these four recommendations, their Lordships would find that, with the exception of the last, which related to the distribution of land, the recommendations were necessarily dependent on each other, and must form part of one scheme; and it was undoubtedly with this view that their Lordships had given their ample assent to the principles laid down by the Commission, at the head of which was the Primate of England and the metropolitan Bishop of this great city. In saying this, he negatived at once the idea of reckless spoliation, to which the petition referred to by his noble Friend alluded. Their Lordships had given their implied sanction to the report of the Commission. Why did he say so? Because the report of that Commission was laid on the Table of the House in 1835; it was afterwards circulated by means of the newspapers amongst the public. In the following year an Act of Parliament, carrying into effect the recommendations of the Commissioners, was brought in and unanimously passed, with all the formalities and notoriety which necessarily attended the passing of all important Acts through that and the other House of Parliament. From that time the Commissioners, to whom the execution of that Act was entrusted, had gone on in the performance of their duty. Six years elapsed before the propriety, the wisdom, or the expediency of that Act was even called in question. In that interval there were two changes of Administrations, and two dissolutions of Parliament; and these petitioners might assuredly during that period, and amidst these changes, have found one Government or another, one Parliament or another, more or less favourable to their views and feelings. Yet it was not till 1843, that, instigated no doubt by the most laudable and patriotic feelings towards the Principality of Wales, his noble Friend, than whom a more worthy representative could not be found, took up the cause of these petitioners, and brought the subject under their Lordships' consideration. During these five or six years to which he had referred, had the Commissioners been idle—had their functions lain dormant? By no means. During these five or six years, the Principality of Wales was gaining by the operation of the Commission. It would not be contended that legislation for Wales should proceed on a different principle from legislation in reference to the rest of the Empire; at all events, they could not claim to be part of the United Empire when anything was to be given away, and refuse to be so regarded when anything was to be conceded. He found that these petitioners never objected in the least when anything was to be given them. They allowed two Welsh sees to be greatly augmented; they allowed advantages to be conferred on Wales under the proceedings of this Commission, the result of which was a balance in favour of that country of not less than 2,000*l.* a year; and it was a most odd coincidence that they first brought forward this question at the very time when the Principality had received the *maximum* of all it could receive, and the *minimum* of all it could give. It was quite true that unless they succeeded now they might hereafter not be so well off as at present, under the operation of the Commission. He would not trouble their Lordships with figures, but would content himself with assuring their Lordships that, if the whole recommendations of the Commission under the Act were carried out, the balance in favour of Wales ultimately would be 500*l.* a year. He trusted he had disposed of the case of the Principality of Wales; but he disclaimed putting the question on that ground: he protested against that Principality being considered on separate grounds, and as not subject to any general scheme of improvement applicable to the rest of the Empire, recommended after the best consideration by the prelates of the Church for the whole United Kingdom. Such was the view of the Commissioners. The Commissioners, feeling with their Lordships the high value of the episcopal authority, and being convinced that the recognised superintendence of bishops was identical with the beneficial administration of the Established Church, saw that a proper distribution of this authority was the only effectual mode of attaining this object: they saw that a new arrangement of the bishopries in England and Wales would contribute essentially to the effect

of the episcopal office and jurisdiction; they saw great masses of population without any commensurate assistance from the Church; above all, without that authority which the Church of England thought essential for its proper government. They laid their hands on two great masses, and determined to provide them with two new bishoprics. They had previously decided that they would not augment the number of sees; but they said, we must not let the population of Lancashire and Yorkshire remain in their present state, destitute of sufficient episcopal control. The bishopric of Ripon was created, and successfully created, on the very principle of 'reckless spoliation' of which the noble Earl complained. Would his noble Friend call upon him to repeal this Act? The next step was to provide a bishop for Manchester. Every one of their Lordships, no doubt, well knew the condition of the population of the districts to be comprehended in this see; all who were acquainted with the moral and religious condition of the growing masses which peopled that region would admit that the Commissioners had done no more than their duty, and that the Government of this country did no more than its duty, by omitting no step in their power towards the establishment—and not only the establishment, but the speedy establishment—of the see of Manchester. Mr. Burke said that, contemplating the vast masses of population in London, and recollecting all the corruption, all the crime, and all the misery of which it was the scene, looking up to heaven, he expected some lightning from above to fall and exercise an act of Divine vengeance on a mass so evil and so corrupted; but when in another moment he looked at the domes, and spires, and public institutions, rearing their lofty heads from the midst of the huge and corrupt mass, they appeared to him to be so many electrical conductors placed there to draw aside the wrath of heaven, and rescue that mass from the vengeance impending over them. As it was with London then, so was it with Manchester now: such masses as those were now congregated in the district which was to form the see of Manchester; in these it was proposed to plant an authority capable of directing and administering all those works of religion, morality, and kindness, which were capable of raising the people from the state in which they were plunged. The creation of the see of Manchester he therefore regarded as a primary object amongst the recommendations of the Commission; and, with all respect to the feelings of the inhabitants of the diocese of North Wales, whose cause his noble Friend had so ably espoused, he regarded the claims of either of the two dioceses as nothing in comparison with the importance of establishing this new bishopric at Manchester. Why should they not, in the Church as in the army, place their strongest garrisons where the danger was greatest? The population returns showed that if the increase in the population had gone on in the same ratio since as in the ten years immediately preceding the appointment of the Commission, there would have been added to the population of the district to be comprised in the see of Manchester a population greater than that contained in the two sees of St. Asaph and Bangor. Did not this circumstance itself afford the most convincing argument in favour of proceeding in the most effectual manner to provide episcopal superintendence for the former district? Supposing the diocese of Manchester to have been provided for, he admitted that it would be a matter for after consideration whether it would be expedient to retain these two bishoprics, or whether the funds devoted to their support could be applied in the matter of religion to a more useful purpose. But there was another reason which indisposed him to give any hasty pledge upon the subject. Assuming that there were funds at the disposal of the Commissioners applicable to the establishment of a bishopric —but there would be none beyond 900*l.* a year applicable to the purpose, which would be very inadequate—but, supposing the funds to be adequate, there remained the after consideration—supposing these two bishoprics to be retained, which required the most sober and deliberate inquiry, he trusted his noble Friend would pardon him if, after only fifteen days' tenure of office, he was not prepared to give an opinion as to the expediency either of increasing the number of bishops or of determining one of the most delicate questions which could come before their Lordships in connexion with the Constitution of this country, namely, the expediency of creating an order of bishops not possessing seats in their Lordships' House. He did not go the length of asserting that under no circumstances could such a course be advisable; but it was a change too great to be dealt with as a mere incident to another question. He wished the whole circumstances of the case to be considered together; and, as his noble Friend only pro-

posed to deal with a detached part of them, he could not but say "no" to the proposition that this Bill be read a second time. He did not wish to move a direct negative to the Motion of his noble Friend, and he should, therefore, propose that the Bill be read a second time on that day three months.

The BISHOP of LONDON said, that he meant to pursue the same course that evening which he had taken on the former occasion when the subject had been under their Lordships' consideration — namely, not to vote either for or against the Motion; and he should not have trespassed on their attention had he not been induced to make one or two observations in consequence of the statement which had fallen from the noble Marquess towards the conclusion of his speech, and which he (the Bishop of London) could not help thinking afforded better grounds of encouragement to those who wished to retain the sees both of St. Asaph and of Bangor, than had been given by those who had hitherto felt called upon to oppose the measure. The Ecclesiastical Commissioners had come to the decision at which they had arrived upon that subject, under circumstances which had been frequently stated to their Lordships, and which had partaken of the peculiar complexion of the times in which the Commission was instituted. The state of the Church had then been very different from what it was at present, and that difference he had no hesitation in saying was mainly attributable to the proceedings of the Commissioners themselves. But, as one of those Commissioners who had reluctantly come to the decision that that was not the proper time to propose an increase in the number of English bishops, he felt bound in candour to state, that he believed they (the Commissioners) had been somewhat wanting in courage upon that occasion; and he believed that if they had had a longer period to deliberate on the whole question, it was possible (he did not say it was certain) that they would have come to a different conclusion, and that they would not have allowed themselves to be deterred by the extreme difficulty and delicacy of the subject from suggesting that alteration in the ecclesiastical polity of this country which the exigencies of a growing population seemed imperatively to require. On a former occasion he had been painfully struck by something which had fallen from a noble Lord then in the Administration (Lord Stanley), and from which he concluded that in the opinion of that noble Lord, neither then nor at any future time could any addition be made to the number of English bishops. He might have misunderstood the noble Lord, and he hoped that he had done so; but he could not help repeating what he had stated on that occasion, and which he felt even more strongly now, that he did not think that the work which had not been too well done for 5,000,000 of people by twenty-six bishops, could be done well enough for 16,000,000 of people by the same number of prelates. Having made this remark, he begged to thank the noble Marquess for the temperate tone of his speech, and for the friendly feeling which pervaded it towards the Church. He was sure that every one of their Lordships concurred in the earnest desire which the noble Marquess had expressed that no time should be lost in the establishment of a bishopric in Manchester. If any reason were wanting for entertaining that desire, they would find abundant grounds for it in the success which had attended the establishment of the new diocese of Ripon; and he believed he might say, that if any Christian prelate had ever becomingly discharged the duties of the episcopacy it was his right rev. Friend who now occupied the episcopal chair in that diocese. Feeling as he did, and as he was convinced every one of their Lordships did, the paramount importance of establishing a bishopric in Manchester with the least possible delay, he had turned in his mind whether it might not be possible to establish such a bishopric without waiting for a vacancy in either of the dioceses of St. Asaph and Bangor, which he hoped would be far distant; and he could not help thinking that such a step might be taken. It was true, that at that moment the available annual surplus in the hands of the Ecclesiastical Commissioners did not much exceed 900*l.* But, whenever a vacancy should have taken place in the diocese of St. Asaph, a sum of about 2,000*l.* a year would be available out of its funds for the new bishopric; and what he would propose was that in the meantime, instead of applying the annual interest of the surplus at present in the hands of the Commissioners, a portion of the 16,000*l.* from which that income was derived—say 1,000*l.* or 1,500*l.* a year, should be appropriated for the establishment of a bishopric in Manchester; so that there would be at once a sum of between 2,000*l.* and 3,000*l.* a year available for that purpose. He could confidently say that that sum might, without difficulty, be

increased from other sources by at least 1,000*l.* a year; and a bishopric might therefore be established in Manchester in the course of a few months, whose incumbent would be at once in the receipt of 3,500*l.* or 4,000*l.* a year. If Her Majesty's Government were to adopt that suggestion, it would then be open to them to deliberate, as the noble Marquess stated, whether or not they would accede to the almost unanimous wish of the Church of England, and suffer the sees of St. Asaph and Bangor to remain detached and separate. There would still, however, remain the difficult and delicate question, whether or not the new Bishop of Manchester should have a seat in their Lordships' House. But he did not think it necessary at that moment to embarrass the main question with a difficulty of that description, which might hereafter be considered on its own merits. He was persuaded that Her Majesty's Government would not find any insuperable obstacle—he would not say in altogether removing that difficulty, because he was afraid that it would exist in any case—but in overcoming the difficulty so as to permit the Church to enjoy the advantages she was so anxious to obtain, of having at once a bishop in Manchester, and of retaining the two ancient bishoprics of St. Asaph and Bangor.

The BISHOP of BANGOR said he should tender his best thanks to the noble Marquess, both for the kind manner in which he had spoken of the Church of England, and for the encouragement he had held out to those who were anxious to prevent the union of the dioceses of St. Asaph and Bangor, that something should be done in their favour, if not at present, yet at some future time. He earnestly hoped that if it should please Providence to spare his life for a year or two longer, he would have the happiness of seeing any danger of an extinction of one of those dioceses finally removed. The feeling of the inhabitants of Wales was almost unanimous in favour of the measure proposed by the noble Earl (the Earl of Powis); for the people of the Principality wished their ancient sees should remain untouched and undiminished. There were no more ancient dioceses in these countries than the sees of St. Asaph and Bangor. They had been established even before the archbishopric of Canterbury; and every feeling of the Welsh population was strongly enlisted in their preservation and support. This was a fact which was worthy of being taken into the most attentive consideration, and one which it was impossible to impress too strongly on the minds of their Lordships. He very much regretted the delay which had taken place in the settlement of this question, and was decidedly of opinion that the time had come when something should be done. Ten years had elapsed since the recommendation had first been made that a bishopric should be established at Manchester. The proposition was one which met with his cordial approval. He did not think that it in any way involved the necessity of consolidating the sees of St. Asaph and Bangor. He admitted that the establishment of a bishopric at Manchester was not only desirable but highly necessary. It was a project which was well deserving of the highest commendation; and if means were obtained for carrying it into operation—as he believed they might without much trouble—there could be no longer any grounds for persisting in uniting the two Welsh dioceses. This was not the time to take away from either the sole or the joint ecclesiastical corporations those tithes that had belonged to them before the Reformation. It had been said that the tithes held by the Bishops of St. Asaph and Bangor had been, within a late period, withdrawn by the parochial clergy. That was not the case. Those tithes never, as far as could be traced, belonged to the parochial clergy. He trusted that this matter would be brought to a satisfactory issue; and, whatever might be the event of their Lordships' division that evening, he hoped that some efficient means would be devised of preserving in their ancient and immemorial position the two Welsh dioceses, and at the same time of realising what was certainly a desideratum by the establishment of a new bishopric at Manchester. Under this persuasion he would leave his cause in their Lordships' hands. It was his anxious desire and prayer that this question should be settled during his life. He humbly trusted that Providence might be graciously pleased to spare him until he saw the danger arrested which had caused such deep apprehension in the minds of his countrymen; and the two sees, which it was most unwisely, as it seemed to him, proposed to unite, severed and separate for all future ages. For his own part, he had no personal interest whatever in the matter: the union of the sees, if it were to occur at all, was not to take place until after his death; but his

people were strongly opposed to the project; and as it was one of which he in the exercise of his individual judgment could not possibly approve, most fervently did he hope that their Lordships would relieve his flock from their anxiety, and gratify what he might call their national feelings.

Lord VIVIAN was of opinion that if the question were fairly stated to them, the laity of North Wales would not be found to be in favour of the views advocated by the right rev. Prelate. As he had done before, he should again vote negativing the proposition of the noble Lord; but he approved of the Bill; for he looked on it as a great and heinous injustice to take from the ecclesiastical revenues of the poor district of North Wales, in order to endow a bishopric in the rich district in which Manchester was situate. It would be far more fair that if anything were taken from the revenues of these bishoprics, it should be given to the poor clergy of those dioceses.

Lord STANLEY hoped he would be allowed to make a few observations, and more especially as something which he had said upon this subject on a former occasion had been misunderstood by a right rev. Prelate, whom he regretted he did not then see in his place. The opinion which he had formerly stated he still maintained. This was no party question. It was no question between the friends and adversaries of the Established Church. It was a question, not of what should interest the Church in England alone, nor in Wales alone, but of how the position of the Church of both countries together, financially and politically, would be best promoted by the adoption or rejection of the present Bill. The question to be considered was whether the recommendation of the Commissioners, appointed to inquire into those matters, should be carried out in part, or deviated from to such an extent as would entirely alter the views which they entertained. The question properly before them had to be considered in two lights—in a financial and political point of view. He would say a word in reply to the noble Lord who had last spoken, on the financial view of the question, and who seemed to think it more desirable that the revenues of two dioceses should be preserved to North Wales, than applied to the establishment of a diocese in a more wealthy part of the kingdom. Now, he (Lord Stanley) did not wish to consider this question as one affecting the interest of North Wales alone; neither was it the question of the establishment of a diocese at Manchester: it was really the question of the augmentation of the poorer dioceses of Llandaff and St. David's, in South Wales, out of the superfluities of the richer ones of St. Asaph and Bangor, that had been considered in the Order in Council. That appeared from a calculation which had been laid on the Table of the House, and which stated the amount of the revenues of St. David's and Llandaff, and recommended that a fixed annual payment should be made from the revenues of the sees of St. Asaph and Bangor, when united, of the sum of 4,750*l.*, to be distributed in certain proportions there stated between the sees of Llandaff and St. David's. That calculation had been embodied in the Order in Council. The object, therefore, of the Order in Council had been distinctly stated to be, not to provide for the establishment of the see of Manchester, but for making up the inferiority in the revenues of the two bishoprics in South Wales. That was the destination of the sum proposed to be paid into the Consolidated Fund from the united bishoprics; and the sum so to be paid from those bishoprics into the Consolidated Fund was considerably less, upon striking a balance, than the sum to be paid out of it to the account of the two sees in South Wales. Upon the whole, England would lose considerably, and Wales gain, by the plan proposed by the Ecclesiastical Commission; but, in fact, the question was not so much a financial question. There was another point, and that was the question of the augmentation of the number of bishops' sees. He had been supposed to have said, on a former occasion, that so long as he had a voice in the matter there should be no augmentation in the number of bishoprics in this country. Now, he had said quite the reverse. It was true that he had called their Lordships' attention to the very serious difficulties that lay in the way of any plan for the increase of the number of sees. Either the measure of increasing the number of bishops in the House of Lords must be adopted—a course which would be open to the charge of endeavouring to increase the power of the Church—or the measure of creating bishops without seats in the Legislature must be adopted. This question he had said was one that he thought ought not to be decided by a casual vote or an incidental discussion, but that the deliberate opinion of Parliament ought to be taken, whether any increase should be made, and whether the

new bishops, if any, should have seats in Parliament. He had also said that he thought, even if it were determined to increase the number of bishops, still it might be expedient to unite the sees of some bishoprics. But the whole scheme of the Ecclesiastical Commission was based upon the assumption—it was the primary position of that scheme—that the number of bishops' sees was not to be increased, however it might be found expedient to consider the best mode of distributing the funds at present enjoyed by the Church. He lived in the proposed diocese of Manchester; he knew the district; and he should be the last man to undervalue the importance of episcopal superintendence to the population living round Manchester. The fact was, that if the sees of St. Asaph and Bangor were united to-morrow, the labour of the bishop, whether measured by area, distance of ground, population, or number of parishes, would stand 20th or 23rd on the whole list of 26 bishoprics; that was, there would be about twenty-two other dioceses more extensive, and there would be some of those on which the duty and labour of the diocese would exceed that of the united diocese, seven, eight, nine, and even ten fold. The united sees would contain 250 benefices—the number of benefices in the diocese of Norwich not being less than 1,200. The population of the united diocese of St. Asaph and Bangor was much less than that of Norwich, infinitely less than that of Chester, and much less than that of London. It must always be remembered, that one object of the Commission was to equalize the labour, as well as the emoluments of the bishoprics in England. He thought, therefore, that the noble Lord was not justified, in the present circumstances, considering that the Session was so far advanced, and considering the recent formation of the Ministry, in asking their Lordships to join with him in affirming part of the plan of the Commissioners, and disaffirming the rest. The noble Lord did, in his opinion, affirm by this Bill that not only should there be an additional bishop, but that such an additional bishop should have a seat in their Lordships' House. Now, he (Lord Stanley) did not think that such a question ought to be decided on a single case; and he hoped, that if this Bill were rejected, the noble Lord would, at the commencement, not at the end of the Session, take measures for obtaining the opinion of Parliament whether there should be an increase in the number of bishops, and whether they should have seats in Parliament, ascertaining also to what extent that increase, if it were made, ought to go. Having done that, the noble Lord would come with much greater advantage to that which was the smaller part of the question, whether or not Parliament was disposed to alter so much of the recommendations of the Commissioners as related to the union of the dioceses of St. Asaph and Bangor. Entertaining these views, and having heard nothing from the noble Earl to alter the opinion he expressed last year, he must confess, speaking individually for himself, that he could not concur in the second reading of this Bill; and he could assure his noble Friend that it would give him the greatest satisfaction if on the present occasion he would refrain from pressing the question to a division.

The BISHOP of SALISBURY, in addressing their Lordships on the question, wished to say one or two words on what had fallen from a noble Lord on that side of the House (Lord Vivian) in the course of the debate. That noble Lord had alluded to the state of the clergy of North Wales, and had proposed, in the event of the union of the two sees taking place, that the surplus revenue should be appropriated rather to the augmentation of the poorer livings in these dioceses, than that it should be carried to the general fund. For himself he would never say one word against any proposition for sufficiently endowing the parochial clergy of the country; but he begged to remind the noble Lord that the evil of which he complained was not greater in the dioceses of North Wales than it was in different parts of England, and he did not think it advisable that the noble Lord's proposal should be adopted with reference to one particular portion of it. He knew it might be said that the tithes of St. Asaph and Bangor were in the hands of the bishops; and that they were, therefore, capable of being diverted to the purpose the noble Lord had in view; but neither in this respect were those dioceses peculiarly situated, as the tithes of other dioceses were in the same situation. He had always advocated the present measure, not as peculiarly a Welsh question but with reference to the general interests of the Church. He had always advocated it, because it was of the utmost importance to establish as speedily as possible a bishopric in that important district of the country in which Manchester was situated. It was of the utmost importance in the

consideration of this question to keep in view, that the spiritual welfare of thousands required that such a bishopric should be established without loss of time. It was with the greatest satisfaction that he had heard, both in that and the other House, the testimony which had been given regarding the spiritual benefits which had resulted from the establishment of the bishopric of Ripon. Ten years had since elapsed, during which time no less benefit would have resulted to the equally populous district of Manchester, if a bishopric had been created at the same time for that district. If it were necessary that such a see should be founded as speedily as possible, he prayed their Lordships to give their assent to the proposal of the noble Earl, or at least give effect to the statement which had been made by the noble Marquess; and he earnestly hoped that the Government would give their attention to the manner in which such a proposal could be best carried into effect. He knew that the difficulties connected with the subject were twofold—the provision of an adequate revenue, and the question whether such a bishop should have a seat in their Lordships' House. With regard to the question of revenue, he would willingly leave it in the position in which it had been placed by his right rev. Friend who had spoken on the subject. Having, however, last year stated that he believed the Commissioners had funds ample for such a purpose in their possession, he wished to offer a few words in explanation: when he said so, such was undoubtedly the case—the Commissioners had then a much larger fund than they now possessed, for since that time they had carried into effect two very important operations, but neither of which, in his opinion, could be compared to the establishment of a bishopric of Manchester. One of these measures was the further endowment of the bishopric of Rochester, in consideration of the annexation to it of a part of the diocese of London; and the other was the augmentation of the diocese of Oxford, consequent on the translation of the late bishop of Bath and Wells. No doubt these were important measures, but not to be compared to the establishment of a bishopric of Manchester. He agreed with the noble Lord opposite (Lord Stanley) in the interpretation which he had put upon the present Bill. He thought that it would give to the Bishop of Manchester a seat in their Lordships' House. After the very encouraging speech of the noble Marquess the President of the Council, he would put it to the noble Earl whether under the circumstances it would be wise in him to press the Bill on the present occasion. If the noble Earl should do so, he (the Bishop of Salisbury) would unshrinkingly and fearlessly vote as he had heretofore done on the question. He would, however, venture to suggest to the noble Earl to leave the measure for consideration in the next Session, as the lateness of the present Session precluded all chance of carrying a measure of such importance through Parliament. He admitted that the question whether the new bishop should have a seat in that House was a delicate one. It was not from feelings of personal pride or vanity that he rejoiced that the bishops of the Church had seats in their Lordships' House, for he looked upon their sitting there as an important element in the union of the Church and State which had so long existed in this country greatly to the advantage of both. Nor was it in order to increase political power in the hands of the clergy that he wished to see the bishops in that House, but for the very contrary reason; because he believed that the presence of his right rev. Brethren, more than anything else, influenced the great body of the clergy in abstracting themselves to the extent they had done from the injurious engagements of political life. He regarded a political priesthood, engaged in political strife for the enlargement of their worldly power and interests, as one of the greatest evils that could befall a country, and as one against which wise statesmen would most carefully guard; but he would have the assent of their Lordships, when he said that the general character of the great body of the clergy was the reverse of this. He believed there was no body of men equally fitted by education and station as they were for exercising so great an influence in political affairs, and who had so largely abstained from putting themselves forward in respect of political affairs. They had had lately a remarkable instance that the clergy were not disposed to come forward and take part in a political question, even though it was one in which their own particular interests were concerned. This was to be attributed, in a great degree, to the presence of the right rev. Body with which he had the honour to be connected in the Legislature. Political power and influence were not necessarily attached to seats in the Legislature. It might be,

that had none of the clergy been present in the Legislature, their political influence would have been thereby increased. Whether the State would gain by the exchange of the legitimate influence exercised by the presence of the small number of clergy in their Lordships' House, for the irregular influence which would be exercised by their organization in other ways, he very much doubted. The increase of the political influence of the clergy in such a manner would be at the expense of the State, and the expense of their efficiency as the spiritual guides of the people. This was one of the main grounds on which he attached importance to the influence of the body to which he had the honour to belong in their Lordships' House; and although he should be glad to see the Bill of the noble Earl carried in its integrity, he would suggest to him the propriety, on the present occasion, of not pressing it to a division.

The BISHOP of NORWICH did not oppose the Bill because he wished to diminish the number of bishops; on the contrary, he was persuaded the country required a considerable addition to that body; but his reason for not agreeing to the Bill of the noble Earl was this, that the question was, whether there should be two bishoprics of Bangor and St. Asaph, or whether there should be one bishop of Manchester. He felt confident that Manchester had the greater claim. If the noble Earl would withdraw the Bill, and introduce one in the course of the next Session for an increase in the episcopacy, he would give it his support; or, perhaps, it might be better to create a number of suffragan bishops. Most of the dioceses were much larger than that of St. Asaph and Bangor, and if the clergy of that diocese were assured that all the livings from which the Bishops derive their tithes would revert to the support of the working clergy, it would give them the greatest possible satisfaction, and tend to soften down the dissatisfaction which they felt at the removal of one of their bishops.

EARL GREY thought one of the right rev. Prelates who had addressed their Lordships, had mistaken the meaning of his noble Friend (the Marquess of Lansdowne). His noble Friend stated as one ground of objection to the measure, that it would effect a partial and incomplete and imperfect alteration of a law and an extensive measure which was adopted on a full consideration of the whole state of episcopacy in the kingdom, and the condition of the bishops both with respect to the labour imposed upon them, and the amount of income derived from their sees. The right rev. Prelate who first addressed their Lordships had truly remarked, that the hostile feeling which existed at the time the Commissioners made their report had now abated, and that the improvement was in no slight degree attributable to the reforms and improvements which had emanated from the Commission. Some years ago the condition of the Church was highly anomalous. The labours and the incomes of the sees were unequal; and various imputations were cast upon the Church, which, although not justly deserved, produced a considerable impression on the country. The result of the appointment of the Commission had been, that in the course of a few years great improvement had taken place in the way of equalizing the duties and emoluments of the different sees, and in providing religious instruction in populous districts; and to these and other changes might be attributed the different state of feeling which now existed towards the Church. But if their Lordships consented to pass this Bill, they would make an inroad on the system of reform which had been commenced. If this application on the part of North Wales was listened to, and their Lordships should say it was unjust to deprive that district of a portion of the income which it had hitherto enjoyed for ecclesiastical purposes, for the benefit of the nation at large, the same principle must be applied to other districts; and they would thus break down in detail that valuable and useful reform which was adopted, a few years ago, upon full consideration, by the advice of some of the most distinguished ornaments of the Bench, with the sanction of two Governments, and the unanimous assent of both Houses of Parliament. It had been said that the union of the sees of St. Asaph and Bangor would be extremely inconvenient, on account of the difficulty of obtaining access to the diocesan; but the railway between St. Asaph and Bangor would be completed in a short time, and then that difficulty would no longer exist. He was not prepared to deny that it might be desirable to keep both these bishoprics—he was not prepared to deny that a considerable increase in the number might be desirable; but if an increase was to take place, let it be done in the same manner as the other measure of Church reform. Let them consider the whole effect of the measure. Let them look to the whole state of the country, ascertain where the increase was most

wanted, and how that increase could be effected in such a manner as still to preserve an equality in the emoluments and duties of the several bishoprics. Let them consider how, keeping that equality, they could make the increase most available for promoting the general efficiency of the Church taken as a whole. Viewing it in that light, he considered there was no evidence to show that the continuance of these two sees was desirable. On the contrary, all the evidence went to show that this was not one of the sees which required subdivision; and the noble Lord opposite (Lord Stanley) had fully shown that it stood exceedingly low in the list of bishoprics with respect to the extent of the diocese, the number of livings, and the amount of population. Then with respect to the question whether a new bishop ought to take his seat in that House. He attached great importance to the presence of the bishops in their Lordships' House, and thought the reasons of the right rev. Prelate (the Bishop of Salisbury) on that subject exceedingly strong. Before deciding on any increase, another question ought to be considered, whether it might not be desirable to act on the suggestion just thrown out, and appoint a number of suffragan bishops. That question was deserving of grave and serious consideration. On looking to the great increase which had taken place in the number of lay Peers, and considering how much smaller proportion the bishops now bore to them than they did some years ago, he, for one, entertained no strong objection—he might almost say no objection at all, if it should appear desirable to introduce a larger number into their Lordships' House. If that were the best mode of providing for the efficient discharge of the duties of the Church and her general welfare, he should on that ground make no objection to an increase in the number of bishops. Before taking any such step, however, another important question ought to be considered—the want of a sufficient number of parochial clergy in the country. If the want of episcopal superintendence was a crying evil, the want of an adequate number of the parochial clergy in those districts where the population had so greatly increased, was an evil of a still more pressing nature. He thought it more requisite to have an increased number of the clergy in proportion to the population, than that they should provide more effectual means of superintendence of the clergy. By adopting the Bill of the noble Earl, they directly struck at the possibility of improvements, if they were now, without full examination and investigation, to apply the funds which were now devoted to the maintenance of these two sees to any particular purpose. If the House were to proceed to dispose of a portion of ecclesiastical income, he said, for one, that he should greatly prefer the mode of dealing with this income which had been proposed by a noble Friend not now present to the increase of livings in Wales. In the report of the Church Commission he found it stated—

> "That the evils which flow from this deficiency in the means of religious instruction and pastoral superintendence greatly outweigh all other inconveniences, and it unfortunately happens that where these evils are the most urgent of all, and most require the application of an effectual remedy, they are precisely those for which a remedy can be least easily found. The resources which the Established Church possesses, and which can properly be made available for this purpose, are evidently quite inadequate to the exigency of the case, and all that we can hope to do is greatly to diminish the intensity of the evil."

That was the opinion of the Church Commissioners; and he asked, would their Lordships, without inquiry, without deliberation, without looking at the whole state of the Church and the nation, at once, by a precipitate vote, decide that the sum that would arise from the union of these two sees (supposing it was not wanted for the endowment of the see of Manchester) should be applied to keeping these two sees distinct, rather than increasing the means of religious instruction. These grounds seemed to be quite decisive against the Bill. He would only add, that the noble Earl who moved it had addressed a strong appeal to Her Majesty's Government, and had begged them not to do anything to the injury of the Church of England. He could assure him, both for himself and his Colleagues, that so far from thinking that they were injuring the Church of England by maintaining the arrangement which was adopted on the advice of the Church Commission, they were taking that course which they were firmly convinced was most for the real and permanent interest of the Church. He agreed with his noble Friend who sat opposite, that the whole question they had that night to consider was this, in what manner could they make such an arrangement of the funds belonging to the Church as would most contribute to the utility and efficiency of the Church Establishment? That was the only ground on which he resisted the Motion of the noble Earl; and it was a strong confirmation to him that, in

taking that course, he was acting wisely and judiciously, when he found that he was acting on the advice of those most eminent persons who composed the Church Commission. There was another topic to which he wished slightly to allude. The noble Earl, in moving the second reading, had called on their Lordships to remember that another Church was extending itself, and was almost at the door of St. Asaph. He alluded to the efforts which were making for the extension and advancement of the Roman Catholic Church; and he called upon their Lordships, when they saw this state of things, not to adopt a measure which he said would greatly discourage our own Church. Now, he could not help reminding the noble Earl that the real grounds upon which this measure which he had so ably advocated was desired, the real motive which was at the bottom of the wish expressed in many quarters for this measure, was not a little dangerous with reference to the extension of the Roman Catholic Church, to which he had adverted; because if their Lordships had listened to the speeches made, not only that night, but on former nights, in favour of this proposition, they would not have failed to perceive that one strong reason in favour of this measure was the antiquity of these two sees — a reverence, amounting he should say almost to a superstitious reverence, of that which at once existed— an indisposition to make any change or alteration in that which was consecrated by time. Let him ask their Lordships whether it was not obvious that, if they followed out that motive and opinion to its legitimate consequence, they did not arrive at the conclusion at which it was well known some very eminent persons had arrived by precisely the same mode of reasoning — that there was but one true Church, and that the Church of Rome— that our own was a schismatical and heretical Church—and that the departure from that which had been established was altogether improper and unsatisfactory. He was persuaded that those who now listened to him must be aware that there was something of this feeling in the minds of many of those who so ardently objected to the proposed union of the two sees. He did not say that it was the feeling of the majority: he was far from believing it; but on looking at the tone of many of the public discussions, he could not help strongly suspecting that such feeling and desire were by no means rare.

The EARL of ELDON said, that he was one of those who had uniformly given his vote in favour of his noble Friend, and he was happy to see that the numbers had considerably increased. He also knew well that many of the Commissioners who had originally made the recommendation for the union of the two sees, had by degrees shrunk from their standard on the opposite side, and now joined his noble Friend. He would not support the Bill if he felt that he was precluding himself from doing justice to Wales, or preventing others from gaining a benefit; and he would support the introduction of every clause in the Bill, when in Committee, which should place this matter on a satisfactory basis. He felt that in voting for the measure that night they were pushing forward the feelings of the people of this country in favour of an increase of the number of bishops; and he by no means thought they were excluding the fact that the parochial clergy should be increased.

The BISHOP of OXFORD said, that it was not without reluctance, after their Lordships had heard so many of his right rev. Brethren, that he trespassed on their attention for a few moments longer; but he the more felt the necessity of doing this after the speech so recently addressed to their Lordships by the noble Earl who was sitting on the Treasury bench (Earl Grey), because the noble Earl had changed the ground of opposition to his noble Friend who moved this Bill. The noble Marquess who spoke first for Her Majesty's Government took distinctly this ground, that he thought they ought to abide by the recommendation of the Commission which had carefully weighed this matter. The noble Earl who had just sat down did not endeavour to shelter his opposition under the self-same shield, but in fact confuted everything which the noble Marquess had advanced, because he said that he was anxious to see these impropriate tithes taken from the right rev. Bench and given to the parochial clergy, who so much more needed them. Now this would be an entire departure from the most fundamental principle and recommendation of the Commission. The Commission went on the very opposite principle—viz., that they would not take the estate and properties of bishops, and convert them to another most important but still dissimilar use, viz., that of providing for the parochial clergy. The Ecclesiastical Commissioners laid down as a principle that there should be two funds—a fund for improving the incomes

of the parochial clergy, and a fund which should go to make the episcopacy of England more completely efficient; and the noble Earl wished to overturn that fundamental principle. Now he thought it of considerable importance that the grounds of this Motion should be distinctly understood, and after the speech of the noble Earl it was absolutely essential; till that time, he had thought the question was confined to the principle the noble Marquess (the Marquess of Lansdowne) had stated. In much of what the noble Marquess had stated, he (the Bishop of Oxford) heartily agreed; and for much of it he, with his right rev. Brethren, tendered him his sincere thanks; but the pleasure and gratitude he felt were in some little degree diminished when the noble Earl seemed to explain away and unsay what had been said by the head of the Government in that House; and it was with great regret that he had heard the qualifications and retractations from the noble Marquess's speech which seemed to be delivered from the Treasury bench. The noble Marquess took the ground which had been commonly taken, that the Commissioners had thoroughly considered the subject, and had agreed to a great and consistent scheme, and that their Lordships could not agree to the Motion of the noble Earl without upsetting that scheme—that it was most important not to upset it—and that, therefore, their Lordships should reject the Bill of the noble Earl. That argument had two or three distinct phases. They were told that this Commission, including in its numbers members of the right reverend Bench, most respected, and whose age was highly calculated to add weight and efficiency to their recommendations, had approved of this scheme; and yet, when they came to particulars, they found it stated that the vote of the right rev. Primate would not be given at all, and the vote of the venerable Archbishop of the Northern Province would be given in favour of the Motion of his noble Friend. As to the right rev. Prelate (the Bishop of London), they had heard his speech upon the question. Their Lordships had heard the right rev. Prelate say, with a moral courage which did him the highest honour, that he agreed to the report, because at the moment he had under the pressure of alarm not acted on the dictates of that common sense which would have led him to a different conclusion. The right rev. Prelate added that there should be no present deficiency in the payment of the Bishop of Manchester: he said (and if the House knew fully all which was meant by that engagement, they would honour highly the liberality by which it was dictated) that he would pledge himself that the deficiency should be made up. After-thoughts and wider experience had brought the individual Members of the Commission whose authority had been pleaded round to the other side. Then it was said, the report of the Commission was a great whole, and must stand or fall together. A noble Lord argued that the improvements introduced by this Commission had reconciled the people to the Church of England. But so far as regarded most of the sees, the alterations were still in futurity; there was only a recorded judgment that, under certain circumstances, such and such things should be done. But the recommendation in the present instance was but a collateral recommendation, so that the argument from the grand totality of the report fell to the ground, just as the argument from the individual weight of the Members of the Commission had fallen; it simply amounted to an opinion expressed by certain Commissioners in respect to a future given time, when certain alterations were to be made. But before that time had arrived the very Commissioners themselves had changed their opinions upon the subject. The argument drawn by them from the Commissioners' Report, which went so far as to say that it settled the whole question, was one which he could never recognise. They were bound to give a just decision upon the question now, as if it had been *de novo* brought before their Lordships, because in fact it was before them as a *de novo* question, inasmuch as it had never been fully carried into effect. Instead, then, of their being called upon to reverse the decision of the right rev. Prelates, pursuant to the Commissioners' Report, their Lordships were now rather called upon to help them in carrying out their second thoughts, which experience told them were the best thoughts in the best of men. The real question was, should there ever or should there never be an increase of the English episcopate? It had been said that if such an increase were to take place, it would be better to make that increase by one comprehensive measure, which should effect at once all that was on general grounds needful. The whole experience of all men, in all matters of policy, pointed to an opposite conclusion. A great existing institution like the Church of England was to be amended, not by affirming certain abstract principles, which

were afterwards to be carried out by one grand and comprehensive measure, but by removing admitted abuses and meeting admitted wants. Now it was admitted on all hands that it was for the interest of religion that a bishopric should at once be established at Manchester. Why, then, should they hesitate in effecting so far this practical amendment, by performing at once their duty in this respect? He begged leave to remind their Lordships of the circumstances attending the introduction of the Reform Act into Parliament. Did they not know that what more than all irritated the mind of the people of England upon that subject was the refusal of that House, when a definite evil was pointed out, to give representatives to Birmingham? Let their Lordships, in like manner, affirm to-night, in this instance, that there should not be an increase in the English episcopacy, while they admitted that Manchester required the appointment of a bishop, and their proceedings would create a feeling of hostility amongst those who from their deep interest in that question were watching their movements with particular interest. While the noble Earl (Earl Grey) admitted that he saw no objection to an increase in the number of bishops here, with no qualification of any kind—and he (the Bishop of Oxford) rejoiced in that admission, even although it was only as an abstract proposition—yet he afterwards told them that before such an increase could be made, something more important should be done; but this was altogether incompatible with the other act, and put off the doing of the first to an indefinite period. This grand abstraction was, therefore, to be admitted as theory, and not as a practical principle to be at once carried out into effect. Another argument had been used which pointed in the same direction. It was said that, granted an increase were wanted, yet, when these two sees were so very small, why should they be retained? They however, extended over a space of 3,000 square miles, broken with mountain chains, and divided by such natural impediments as to make it impossible to pass conveniently from one part of it to another; the people peculiar in their habits and language, peculiar in their poverty, peculiarly needing the shepherd's care and the pastor's diligence. The criterion applied to this question was taken from the existing state of English dioceses. It therefore assumed that their state was perfect; and so that they needed no increase. But on the Continent, what was the number of bishops of that Roman Catholic persuasion which agreed with the members of the Church of England in holding episcopacy to be of apostolical origin? In France, before the Revolution, for 28,000,000 millions of people, there were 145 bishops: since the Revolution, for a population twice as large as that of England, there were three times as large a number of bishops. For 10,000,000 or 12,000,000 of a population in Spain, there were 60 bishops. In Greece, 35 bishops. It might be said that the former of these were Roman Catholic countries. But let them come to this country at the period of the great reformers of religion amongst us—those true-hearted men, whom he loved and venerated in his heart—who lived in the time of Henry VIII. and Elizabeth. Did they remember the sentiments of Latimer — that honest-hearted man, who spoke in his strong Saxon dialect, words to which all England as one man responded. That venerated man said that the bishops, by their fewness, were raised to such a height above the people as had deprived them of the power of exercising those functions which were inherent in their office, and the first measure of reform which ought to be carried was one for giving a great increase to the number of those bishops. In the time of Henry VIII. it was proposed to add twenty new sees, so as to make in all seventy, the number of the population being then between 4,000,000 and 5,000,000; yet, at the present day, with a population of 18,000,000, they had only twenty-six. One of the arguments used against the increase in the number of bishoprics was, that in olden times they had more want of them than in these days, because that locomotion and the readiness and rapidity of communication had so facilitated the power of progress from place to place, as to render a fewer number of them necessary. But he denied that the utility of the bishop consisted in his passing rapidly from place to place, or mainly in his mere performance of certain acts, or settling legal questions for his clergy. It was not in such ways that the bishop fulfilled his duties. He should show himself to be what he was, the pastor of pastors. Wherever want was most pressing, wherever disease was most fearful, wherever the voice and the consolation of religion were most needed, it was there that the bishop should be found leading the van —it was there he should be found as the unfaltering leader, setting the example to others how they should act. But how were the bishops to do all this if they were to be,

as now, affected and oppressed with secular cares, which hung heavily upon men of the highest aspirations, who fain would set their minds upon things of the other world? After all, the bishops were but men; and if they were bound down by business until their minds were filled full with secular affairs—until they were overburdened and weighed down by secularities—how could they fulfil their office—be more than other men discharging the great mission of the Church of England to this great people? No man could look upon what was passing in the country without admitting that unless something should be done to extend the knowledge and practice of religion amongst the mass of the population, their laws would be as cobwebs to bind the people when under the pressure of severe affliction or great distress. In such trying seasons, the surest and the only curb upon the multitude was the restraining, purifying power of true religion; and no man who considered deeply the condition of an irreligious people could fail to see that society stood at this very moment upon the thin and trembling crust of some struggling volcano. Without religion, law was useless to restrain the tumultuous swellings of a troubled nation. But unless they (the bishops) were enabled to exhibit their character and perform their mission, how could they lead the people as they should be led? It had been said by a noble Lord that they wanted parish priests more than bishops; but the history and experience of all the past showed that the best way to increase the number of the parish priests was to increase the bishops. How vain had been all their past efforts in these Colonies to advance the morals and religion of the people, until they had sent out bishops to them. What were the results of such a course in their West India Colonies, and in Van Diemen's Land? After they had sent out bishops to these places, the priests increased around them, and society throughout its whole mass was visibly pervaded by a better influence. To those around him who belonged upon conviction to the English Church, he would say, they believed that this system which they followed was from God: let them show something of their faith by the real strength of their exertions, and they would soon see the certain efficacy of their measures. If they constituted their great cities the seats of bishops, they would reap the most signal blessing to the country from their exertions, and those of the clergy, who would be sure to gather in sufficient number around them. He believed that nothing would be more calculated to strengthen the Government in that House, than if the noble Marquess who was its representative there, gave to the measure of his noble Friend a generous support, and thereby aided the effort which the Church was making for its self-development and improvement. He was aware that there were many noble Lords in that House who differed from the Church of England—he respected their conscientious opinions and convictions—but he called upon them to respect their conscientious opinions also: he did not call upon them to aid him in taxing the people to support a Church, although that Church was the Church of fifteen out of eighteen millions of people, but he called upon them to extend to them that power which was possessed already by themselves, of developing freely the strength of their own system. Infidelity, they must all allow, was more by far than a less perfect form of Christianity; and for the sake of the common truth which they all held, he called upon them not to impede them when they sought to increase the machinery and extend the usefulness of the English clergy. He should give his cordial support to the Bill of the noble Earl.

Earl POWIS, in reply, assured their Lordships that he would occupy their time very shortly. The speech of the noble Earl (Earl Grey) would have required observation from him had it not been followed by the able and eloquent speech of the right rev. Prelate (the Bishop of Oxford), a speech worthy of the honoured name he bore, and the effect of which he (Earl Powis) was unwilling to diminish. He must, however, say a few words with reference to what had fallen from his noble Friend (Lord Stanley), with whom he differed with regret, especially upon a question where the interests of the Church were at stake. His noble Friend attributed to him an attempt to draw a line of distinction between the North and South Wales dioceses; and argued that, in arranging the dioceses of England and Wales anew, inconvenience must necessarily result to some particular districts, as had, in fact, happened with regard to these sees; but that, taken as a whole, Wales had its due share of episcopal superintendence. He differed from his noble Friend both in his reasonings and his conclusions. He had not originated the distinction between the sees of North and South Wales. The distinction had been made by his noble Friend, and by Parliament. The two

sees of St. Asaph and Bangor were amply endowed: those of St. David's and Llandaff required augmentation. The Commissioners required an endowment for Manchester, and therefore united St. Asaph and Bangor, in order to obtain an income for Manchester. They listened to the objections against the union of Bristol with Llandaff, which gave them a surplus income, and not to those against the union of St. Asaph with Bangor. In proof of his position he referred their Lordships to the first report of the Ecclesiastical Commissioners which proposed to give over the surplus income of St. Asaph and Bangor to the augmentation of their poorer vicarages. This was reversed by the subsequent reports; and by the Order in Council (which carried into effect the 6th and 7th Will. IV. cap. 77) of December 12, 1838, the surplus was given over nominally to St. David's and Llandaff, but really to the Episcopal Fund, which, thus relieved from the necessity of providing for those dioceses, was enabled to endow Manchester. The Commissioners thus avoided the outcry and unpopularity which the destruction of St. Asaph would have caused, by mixing it up with the creation of the bishopric of Manchester, and concealed the abstraction of the revenues of St. Asaph for the purpose of endowing Manchester, by nominally appropriating the surplus to St. David's and Llandaff. But this method of dealing with North Wales was not limited to its bishoprics. The deaneries of North Wales, which were well endowed, were reduced to 700*l.* per annum; whilst English deaneries were fixed at 1,000*l.* Deaneries were created in South Wales, where they did not exist, and were endowed out of the general fund; to supply which the incomes of the deaneries of North Wales were reduced to 700*l.* Again, the sinecure rectories, of which nearly half existed in the single diocese of St. Asaph, were swept into the general fund, instead of being appropriated, as the Commissioners recommended in their third and fourth reports, to the dioceses in which they existed. He would not, at that hour, further detain their Lordships by additional observations, but would earnestly press this important Church case on their attention and favour.

On Question, that "now" stand part of the Motion, House divided: — Contents 38; Non-Contents 28: Majority 10.

Resolved in the *affirmative.*

The MARQUESS of LANSDOWNE said, after the decision of the House it was not his intention to offer any further opposition to the measure. The noble Earl would take his own course as to the expediency of proceeding with the Bill. He wished it merely to be understood that if he did not continue his opposition it was not because he had altered his conviction on the subject.—House adjourned.

HOUSE OF COMMONS,

Monday, July 20, 1846.

MINUTES.] NEW MEMBERS SWORN. For Liskeard, Charles Buller, Esq.—For Stafford County (Southern Division), Hon. George Anson.

PUBLIC BILLS.—2° Books and Engravings; Prisons (Ireland); Fisheries Ireland); District Lunatic Asylums (Ireland); Grand Jury Cess Bonds (Ireland); Mandamus (Ireland); Taxation of Costs (Compensation for Lands) (Ireland); Adverse Claims (Ireland).

Reported. Ejectments, &c. (Ireland); Leases (Ireland); Exclusive Privilege of Trading Abolition (Ireland).

3° and passed. Ordnance Survey.

PETITIONS PRESENTED. By Sir Edmund Filmer, from Inhabitants of the Parish of East Peckham, for the Better Observance of the Lord's Day. — By Sir Robert Harry Inglis, from Inhabitants of the Parish of St. Sidwell, in the City of Exeter, against the Roman Catholic Relief Bill.—By Sir Edmund Filmer, from Guardians of the Hollingbourn Union, for the Adoption of a Measure making the Landlords of Tenements where the Rents are under £6 liable to the Poor Rates.—By several hon. Members, from various places, against the Union of St. Asaph and Bangor, but at the same time providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—From Inhabitants of the Borough of Sunderland, for promoting the Establishment of Baths and Washhouses.

MILITARY FLOGGING AT HOUNSLOW.

DR. BOWRING: I understand, Sir, that the right hon. Gentleman the Secretary at War is now in a condition to give an answer to the question of which I have given notice of my intention to put this evening to him. It is, Sir, whether his attention have been called to a case in which death is alleged to have been lately caused by the infliction of military flogging. As I do not wish to anticipate his answer or his statement by any reference to newspaper reports, I will merely put the question, with the addition of "whether any steps have been taken by him in consequence?"

MR. FOX MAULE: With reference to this question, I have in the first place, Sir, to say that I am very glad my hon. Friend has used the word "alleged," and that he said "death is alleged to have been caused." For I must say that the entire proceeding, no doubt from misinformation, has been mis-stated, and the public have been exceedingly misled by the newspapers. This unfortunate man, Frederick White, of the 7th Hussars, was guilty of a most violent and insubordinate act. He struck a non-commissioned officer, who was in the performance of his duty, with a

heavy poker; and the man would have been most severely injured, if not killed, by the blow, had he caught it otherwise than he had. As it was he was knocked down. For this crime Frederick White was, on the 10th of June, tried by a district court-martial, and sentenced to receive the military punishment of 150 lashes. That sentence was confirmed by his Grace the Commander-in-Chief, and on the 15th of June it was carried into effect. I must state here that it is the practice in the army, whenever a soldier is sentenced to receive punishment by a court-martial, before it is carried into effect, to have a certificate from the surgeon of the regiment certifying that the man so sentenced is in a fit state to undergo the punishment; and that certificate accompanied the sentence upon this occasion. On the 15th of June, in the presence of the regiment, the punishment was carried into effect in the usual manner. And so far from there having been any interference by the surgeon of the regiment to take the man down, and a refusal to do so by the commanding officer, there was no interference of any kind whatsoever. After the punishment had been inflicted, the man was taken down and removed to the hospital in the usual manner, where he was regularly visited by the surgeon every day. He remained in hospital so long as to be declared fit for duty again, and he was actually so far recovered as to be doing fatigue duty in the hospital, when Colonel Whyte inquired of the surgeon regarding him. On the 10th of July, however, Colonel Whyte received information that the man was dangerously ill. Under all the circumstances, he thought it desirable that Mr. Warren, the surgeon, should report the man's illness, so that additional advice might be obtained if necessary; but, unfortunately, before any additional advice could be obtained, the man, on the 11th of July, died. A *post mortem* examination took place, at which two other surgeons, sent down by the Horse Guards, in addition to Dr. Warren, assisted, and the report made upon that *post mortem* examination was to the effect that the punishment had nothing to do with the cause of the man's death. I understand, further, that the medical officer appointed by the coroner's inquisition—appointed, in fact, by the coroner himself to look into the case—has come to the same resolution. I will add this much to my reply, that as the public have been very much horrified by the report that a large piece of skin had been removed from the man's back by the flogging, it may be necessary to mention that that piece of skin was removed after death, by surgical operation, for the purpose of examining whether the punishment inflicted had been in any way the cause of death. The case is this day again before the coroner, where these matters will be proved; but I have stated enough to show that there has been great exaggeration in this case, and that it would be well if those who take upon themselves to report these cases to the public, would make themselves more thoroughly acquainted with, and informed upon the facts before they alarmed the public mind by their reports.

SUGAR DUTIES.

The House in Committee of Ways and Means.

Lord J. RUSSELL addressed the Chairman (Mr. Greene) as follows:—Sir, had Her Majesty's Ministers been disposed to consult their own ease, they would not in the present state of affairs have proposed any considerable alteration in the Sugar Duties. They would have had plausible reasons to allege for such a course: the advanced state of the Session, the labours which this House has already gone through, the recent formation of the Government, the intricacy of some of the details connected with this question—would have formed, in the eyes of many, grounds sufficient for postponing to another Session any large or permanent alteration of the Sugar Duties. But, Sir, there are, in our opinion, considerable evils suffered by the country in consequence of the present state of these duties. We consider that the great body of the public are sufferers by the increased price of sugar—a commodity upon which no less than 12,000,000*l.*, or a sum ranging from 11,000,000*l.* to 13,000,000*l.*, is expended by the public in this country: we think that the revenue is a very considerable sufferer by the mode in which these duties have been hitherto raised, and the exclusion, by prohibitory duties, of sugars of a certain class from the markets of this country. We are also of opinion that it is most desirable, for the sake of the public, for the sake of the interests which are most concerned, and for the sake of the trade and commerce of this country, to endeavour to arrive at some permanent settlement of this question, and not to expose this question any longer to discussion, debate, and doubt, from year to year. With these motives, therefore, however unprepared we might seem to be on this occa-

sion, I am now about to state to the Committee the general reasons upon which we proceed, and the plan which—if this House shall be disposed to entertain a plan for a permanent settlement of the Sugar Duties—we propose for adoption. Sir, it has been a general complaint with all the most intelligent writers upon the subject for many years, that the price of sugar is enormously increased. Mr. M'Culloch, a considerable authority upon this subject, states, both in his *Dictionary of Commerce* and in his more recent work on Taxation, that the estimated increase in the cost of sugar imported in 1840, 1841, and 1842, by reason of the protective duty, on the supposition that foreign sugar rose from 20*s.* or 21*s.* to 25*s.* per cwt., was no less, during these three years, than 3,240,260*l.* a year. In the same manner, and for the same reason, the revenue was greatly reduced in the following years by the advanced price of sugar, making that article unattainable by all the labouring classes, and its consumption extremely limited and reduced by the richer and middle classes. Passing, Sir, at once from what has happened in former years, I will now take notice of the plan proposed last year by the right hon. Gentleman whom I see opposite, who was then the First Lord of the Treasury, the effects which that plan had, and the views with which it was introduced. The Chancellor of the Exchequer at that time—the Member for Cambridge University—in speaking of that plan, said—

"The highest quoted prices of Java sugar at present are from 22*s.* to 24*s.* 6*d.*, but ordinary Java and Manilla sugars are lower, say about 17*s.*; the average may, therefore, be taken at 20*s.* Then, supposing the first cost of Java sugar to be 20*s.*, by adding the amount of duty, 23*s.* 4*d.*, it gives a total price of 43*s.* 4*d.* Then, with respect to West India sugar, the average *Gazette* price of that article is 29*s.* 7*d.*; add to that the duty of 14*s.*, the total is 43*s.* 7*d.*; and that calculation only shows a difference in price between the two articles of 3*d.* This would make it little dearer than the Java; and I think I have taken a fair average upon the whole."

We may, therefore suppose that the right hon. Gentlemen calculated upon a price of 43*s.* 6*d.* per cwt as likely to be the price of the year; but, Sir, in the course of the year a very considerable rise in the price of sugar took place. The *Gazette* averages, which for the four weeks in April show the price at 30*s.* per cwt, in the last four weeks in December show a price of 35*s.* per cwt. The cause of that difference, I believe, was very much what was stated by the right hon. Gentleman—namely, a want of the supply of Manilla sugar, and the absorption of Java sugar on the Continent; but the fact remains the same, that there was a very considerably increased price—that the hopes of the right hon. Gentleman (Mr. Goulburn) were to a great degree disappointed—and that a rise of 5*s.*, 6*s.*, or even 7*s.* above the average price which he had calculated, took place at certsin periods of that year. I will next take the financial statement of the right hon. Gentleman the First Lord of the Treasury. He stated—

"We think it probable that the effect of the reduction of the duty may lead to an increased consumption of perhaps 43,000 tons. Of course, these estimates must be taken as very general; but it appears to us probable that the increased consumption of sugar, consequent upon the reduction of duty, will amount to a total not much short of 250,000 tons. The consumption of British muscovado sugar, to the extent of 160,000 tons, at 14*s.*, would give 2,240,000*l.* The consumption of clayed sugar at a duty of 16*s.* 4*d.*, or sugar equal to clayed, to the extent of 70,000 tons, will give a revenue of 1,140,000*l.*; foreign free muscovado sugar, 5,000 tons, at 23*s.* 4*d.*, will give a revenue of 116,700*l.*; of free labour foreign clayed, or equal to clayed, 15,000 tons, at 28*s.*, will give a revenue of 42,0000*l.* As I said before, these estimates must of course be very general; but, supposing them to approximate to the truth, the consequence will be, that we shall receive from the duty on sugar, in consequence of the reduction, the sum of 3,916,000*l.*"

Now, Sir, the estimate of the right hon. Gentleman, when he proceeded to make a reduction in the duties on sugar—the very large reduction which he made of upwards of 11*s.* per cwt. on colonial sugars—was more than justified; but by limiting the means of supply his estimate was widely different from the truth with respect to foreign sugars. Here is the actual fact with respect to sugar from the 1st of January, 1845. The right hon. Gentleman calculated the consumption of 1845 as follows: Of British Plantation muscovadoes, 160,000 tons—the actual consumption was 237,636 tons, or an increase of 77,636 tons; of British Plantation clayed, or equal to white clayed, he calculated on 70,000 tons—the actual consumption was 1,107 tons, a falling-off to the extent of 68,893 tons; of foreign free labour muscovadoes he calculated on 5,000 tons—the actual consumption was 3,809 tons; of foreign free labour clayed, or equal to white clayed, he calculated on 15,000 tons—the actual consumption was 54 tons. In consequence of the difference of duty, instead of 2,240,000*l.* derived to the revenue, at the rate of 14*l.* per ton on British muscovado, the produce

was 3,326,904*l.*; and instead of 1,140,000*l.* on the British Plantation clayed, or equal to white clayed, at a duty of 16*l.* 6*s.* 8*d.* per ton, the duty amounted to only 18,081*l.* Instead of 116,700*l.* on foreign free labour muscovadoes, at a duty of 23*l.* 6*s.* 8*d.*, the duty amounted to only 88,876*l.*; and instead of 42,000*l.* duty, which the right hon. Baronet calculated on from foreign free-labour sugar clayed, or equal to white clayed, at a duty of 28*l.*, we derived only 1,512*l.* The total decrease, according to that estimate, in the revenue received was 481,327*l.* That was not the actual deficiency in the calculation; because there was a large portion of the British Plantation sugar taken above at 14*s.* per cwt., which paid duty previous to the 14th of March at the old rate of 25*s.* 2*d.* The real difference, therefore, was only 341,529*l.** Now, I think this account sufficiently shows that, while the right hon. Gentleman's plan was successful even beyond his hopes, while he reckoned upon a decrease of duty producing a large increase of consumption, it was as conspicuous a failure when he calculated, with respect to the admission of distinct classes of foreign sugar, that a high duty would make up the revenue he estimated. I will now, Sir, proceed to state what are the general prospects, as stated from various sources, of the supply of sugar for the coming year, taking the estimate from the 5th of April, 1846, to the 5th of April, 1847. The estimate I now hold in my hand I consider extreme, and by no means likely to be realized. It first states the amount of colonial and free-labour sugar in the warehouse—

		Tons.
Colonial and free-labour sugar in warehouse, April 5, 1846		40,000
Estimated import from April 5, 1846, to April 5, 1847 (Customs' Letter) :—		
West Indies	125,000	
Mauritius	50,000	
East Indies	80,900	
		255,000
Calculated amount of free-labour sugar admitted from foreign countries		20,000
Making in the whole		315,000
Probable stock April 5, 1847, stock being notoriously low		45,000
Available for consumption		270,000

* The following is the complete Official Return, of which the noble Lord quoted the summary :—

		Tons.
Stock of sugar on hand, 1st January, 1845		45,000
Supply, West India	135,000	
Supply, Mauritius	40,000	
Supply, East India	70,000	245,000
Total		290,000

Sir Robert Peel calculated the consumption of 1845 as follows :—

Quality.	Quantity and Price.	Value.	Increase.		Decrease.	
	Tons. £. s. d.	£.	Tons.	£.	Tons.	£.
Of British Plantation, Muscovadoes	160,000 at 14 0 0	2,240,000				
The actual consumption was	237,636 at 14 0 0	3,326,904	77,636	1,086,904		
Of British Plantation, clayed, or equal to white clayed	70,000 at 16 6 8	1,140,000				
The actual consumption was	1,107 at 16 6 8	18,081			68,893	1,121,919
Of foreign free-labour Muscovadoes	5,000 at 23 6 8	116,700				
The actual consumption was	3,809 at 23 6 8	88,876			1,191	27,824
Of foreign free labour, clayed, or equal to white clayed	15,000 at 28 0 0	420,000				
The actual consumption was	54 at 28 0 0	1,512			14,946	1,568,231
Actual	242,606	Decrease			85,030	1,568,231
		Increase	77,636	1,086,904		
			Total decrease		7,394	481,327

N.B. £481,327 is not the actual deficiency in the calculation as part of the British Plantation sugar, taken above at 14*s.* per cwt., paid duty previous to the 14th March, at the old rate of 25*s.* 2*d.* The real difference, therefore, was only £341,529.

Sir, I have here various other returns, especially four, which appear to me to come nearer the mark than that I have just read. Here is a statement put forward by the West India body. They estimate the produce for

The West Indies	125,000 Tons
The Mauritius	50,000
The East Indies	75,000
Total	250,000

Here is another estimate by the Committee of Sugar Refiners, who calculate the produce from

The West Indies	115,000 Tons
The Mauritius	40,000
The East Indies	70,000
Total	225,000

Another private estimate assigns to

The West Indies	110,000
The Mauritius	45,000
The East Indies	70,000
Total	225,000

I have another statement from persons engaged in the trade, which calculates the whole supply at 230,000 tons. Now, I think about 230,000 tons may be taken as the estimated supply for the coming year. I have read a statement of what was the effect of the right hon. Gentleman's plan. That extended from January, 1845, to January of the present year; the statement from April to April gives a consumption of 252,000 tons. I think we cannot say, according to that estimate, supposing the duties were to be near what they were last year, that there would be less than 20,000 tons required for the increased consumption of this country. The question, therefore, is, where are we to look for this increased supply? There was a statement made by the right hon. Gentleman at the commencement of this year, when he brought forward his general plan with regard to the trade and finance of the country, in which he proposed that there should be a reduction of the duty on free-labour sugar to 19*s.* 10*d.* from 23*s.* 4*d.*; but that the prohibitory duty on all other foreign sugar should remain the same. Now, Sir, I have here an extract from the circular of a well-known house—Messrs. Truman and Cook—dated the 2nd of February, 1846, which says—

"The only proposed alteration in the duty is the reduction of 3*s.* 6*d.* per cwt. on foreign free-labour sugar, which, if nothing further is done, either by treaties or otherwise, will have very little effect upon the market, as the quantity which can be received will not, it is now evident, be of material importance."

Sir, I believe that statement, made by a firm of experience in the trade, to be thoroughly borne out by the fact, and that the increased price will limit the consumption; that you will be disappointed of obtaining the supply you wish; that your revenue will not increase as it ought to do. by increasing the supply of sugar; and that the people will suffer from the price they must pay, owing to the limit you place on the quantity that comes into your markets. Now let it be borne in mind that, supposing the consumption is 250,000 tons, an increase of price to the amount of 6*s.* only per cwt. would be a tax on the people of this country in the price of their sugar of 1,500,000*l.* a year, and that a tax which does not go into the Exchequer; it is paid by the people, but gives nothing whatever to the Government. In that state of the supply of sugar, what I should naturally be disposed to recommend, therefore, would be the admission of other foreign sugars into the markets of this country, to supply the deficiency under which it is evident we must otherwise suffer during the present year. But we are here met by an objection, contrary to the system which has prevailed during the last four or five years, but more decidedly in the present year, of allowing the people to buy in the cheapest market—we are here met by an objection that "by so doing, by admitting all foreign sugars, you would encourage slavery and give an increased stimulus to the Slave Trade;" and it is said that "there are moral considerations which overbear all financial and commercial views, and all views connected with the comfort and welfare of the people of this country." In examining that argument, though not at any length, I will just point out where I think it fails, both in completeness and in efficacy. That argument fails in completeness; because, while you refuse admission to your home market of the sugars of foreign countries, you place no such bar on the admission of other productions. You admit cotton, tobacco, copper, and various other articles which are produced by slave labour. Therefore, Sir, you do not actually carry into effect, or even pretend to carry into effect, these humane views which the persons who are most opposed to the admission of slave produce consistently entertain. I hold in my hand a circular with respect to the Sugar Duties, which is headed

"urgent," and which begins with stating, it to be a very great misfortune, that which Ministers and statesmen of this country have regarded year by year as a very great advantage—namely, "the great increase in the import and consumption of cotton from the United States. It has been thought by the great majority of this House that a very large increase in the import of cotton, affording the means of industry and livelihood to hundreds of thousands of our people, making our manufacturing towns busy and flourishing, was a great advantage to the State. The persons to whom I allude contend, very consistently as I think, that the increase in the import of cotton from 1790 to 1845 ought to excite the grief and indignation of all moralists and philanthropists. They go on to say that—

"If it be stated as a reason for excepting the United States from the principle of excluding slave produce, that the slavery existing in that country is characterized by none of the greatest horrors of the African Slave Trade, the Committee would observe that that atrocious traffic had been succeeded there by another—in some features still more revolting—the breeding of slaves, whose value is regulated by the price of cotton wool in the British market."

Nobody can forget the eloquent statements that were made by my right hon. Friend the Member for Edinburgh with respect to the Slave Trade in the United States; nobody can deny the force of the observations he then made, or the facts which are here stated by the Anti-Slavery Committee, that the consumption of cotton wool in this country, and the use of it in our manufactures, give an impulse and encouragement to the Slave Trade in the United States; and yet, if any one were to say that we should not on that account allow cotton wool to come into this country—if he were to say that before we will admit cotton wool we will force the United States to a solution of that tremendous problem that hangs over them—that tremendous problem, whether they shall keep their black population in a state of slavery; or whether, applying the great articles of their declaration of rights, they shall, at once, admit them to supreme power in many States, and treat them, as Mr. Clay contends they ought to be treated, as entitled to the elective privileges. Though constituting the majority in themselves, to say that we would insist on the emancipation of all their slaves, or that we should not take a single bale of cotton wool, would be nothing less than insanity. Sir, the same argument will apply to several other productions; it is the same with regard to copper ore, with respect to which the slaves employed in the mines of Cuba are as great sufferers as any that are employed on the worst sugar esates in that country; and yet, so from having proceeded on this consistent plan of the Anti-Slavery Committee, we have of late years diminished the duties on the admission of copper ore, and totally abrogated the duties on cotton wool. Such, then, is the first instance to show that your policy, if it were to proceed on an exceptional rule, is incomplete and unsatisfactory, even to those who most strongly maintain it. But you have not been able to maintain it even on that ground. You have not been able to say we will admit sugar only from our own Colonies and possessions, in which we have enacted that slavery shall no longer exist. You have been obliged—the late Ministry has been obliged by the necessity of the case, by the insufficient supply which comes from our own Colonies—to admit the sugars of other countries to our markets. The consequence has been a new complication of the problem. You have had to decide what was the state of society in those particular countries; what was the state of society in Java, for instance; and whether the obligation to cultivate sugar in that case did or did not amount to a state of slavery. You have had to consider, also, what was the state of society in Manilla; and you have also exposed yourselves to the decision according to the interests of the Dutch Commercial Company, at one time disposed to give you a large supply of sugar, and at another to withhold it. But besides this, you are obliged by the principles of your law and your treaties, to admit slaveholding countries which have treaties with you, providing that their produce shall be received on the terms of the most favoured nation into competition with the free-labour States. You could not do otherwise. You may say that no great quantity of sugar is admitted in that case; but your principle has utterly broken down under you: when you admit certain slave States to send their sugar here your principle is at an end. But in order to save your principle, you have been obliged to take another method—you have been obliged to refuse to Spain the privilege, which she claimed under Treaty, to send you her produce on the footing of the most favoured nation. You have been obliged to do so on grounds

which, I think, are not very honourable, or worthy of a great country like this. It is shown by the Spanish Minister, that but a few years ago, within these ten years, you yourselves have claimed the benefit of these treaties, upon the principle that you had a right to be treated on the footing of the most favoured nation, and you have been obliged to reply, "True, we made that claim, but we were not justified in making it, and it was for you to find out the flaw in our claim." Sir, I cannot but be of opinion myself, that, although that Treaty has been at different times violated in Spain, yet the principle she contended for is contained in the provisions of the Treaty of Utrecht. I found lately, in looking over the correspondence of an ancestor of mine, John, Duke of Bedford, who was employed in negotiating the Treaty of 1762, that when he proposed to refuse to the Spaniards the power of procuring their fish from Newfoundland, the Spanish Minister said to him—

"If that is the case, we shall not admit your salt fish into Spanish ports."

The Duke of Bedford immediately replied to him—

"You cannot do that without refusing it to other countries; we are on the footing of the most favoured nation—*gens carissima*; the salt fish of France must be prohibited at the same time."

The Spanish Minister said—

"I agree at once; I acknowledge that such is the case; but I at once say those treaties are very onerous, and we are looking to a revision of them; for we do not find, though they contain that principle, that they are fair to the two nations."

That is the sum and substance of the conversation stated by the Duke of Bedford—a proof sufficient that at that time it was the opinion, both of the English and the Spanish Minister, that the produce of either country was to be treated on the footing of the most favoured nation. Now, I must say, when you are standing up for humanity, it is a misfortune that you should be obliged to endeavour to find excuses for evading an obligation which otherwise would be binding, as contained in the terms of the Treaty of Utrecht, and in its tenor and spirit, favourable to the produce of both nations. But there is a further and more fatal defect in these objections, which are urged against the admission of slave-grown sugar. You do, no doubt, to a certain degree, diminish the price in the ports and markets of the world of that sugar, by refusing to take it; but the resources of commerce are infinite, and the spirit of commerce is too strong to be bound by stipulations which are against the natural interests of commerce. What the merchants do therefore is, to take care to find a market for that sugar in some country; they search the north of Europe, they search the shores of the Mediterranean, they send to Hamburgh, they send to Petersburgh, they send to Genoa—they search, in short, for a market anywhere, by which they may obtain a sale for that slave-grown sugar, and obtain supplies in return, which they can dispose of in the English market; and they then pay the Spanish producers of Cuba with those English manufactures which they might as well have sent to them direct without this intervening transaction. With a good deal of inconvenience, with a good deal of loss to English commerce, but, above all, with a great loss to the English consumer, this does, in fact, provide that which you seem to dread, that to which you so much object, namely, that the employer of slave labour in Cuba and Brazil is able to sell his sugar, and obtain a profitable return for it from some part of Europe. That object is attained. And this, again, destroys the whole morality of your proceeding. I see it popularly said, when there are meetings of persons who are a good deal inflamed upon this subject—"This slave-grown produce is, in fact, the produce of a felony, it is the produce of crime; these are stolen goods which you ask us to consume." It may be very well to say that these are stolen goods, and that you will not consume them; but if I were to put such a case as that in the instance of an individual, what would be thought of the answer? If a person should come with a quantity of sugar known to be really stolen from a warehouse, and should bring it to a shopkeeper and ask him to buy it, what would be thought if his answer were, "No, I cannot buy it, I know it is stolen goods; but I have a neighbour who has no scruple in taking it, I will direct you to him: he will give you a return in value for that which you have stolen, and if you will bring me what he gives you, I will buy it of you?" Of course, the whole pretence of morality would be demolished by that. I, therefore, for these several reasons, which I will not any further dwell upon, hold that the ground which has been hitherto taken is not tenable; that you must in this instance—as in the various instances in which upon the proposition of

the late Government means have been adopted for taking away restrictions and admitting the people of this country to the best markets—proceeding upon the same principle, you must admit the sugar of these foreign countries into the markets of the United Kingdom. But while I say this, and contend that you have no sufficient grounds any longer to refuse to the people of this country that benefit, and that you ought not to deny to them the power of obtaining their sugars at 1,500,000*l.* or 2,000,000*l.* less than they now pay, I must admit that there are considerations which the West India body urge, and there are other considerations pertaining to the interests of the State, which forbid you to make an immediate equalization of the duties. Sir, the West India body urge, in the first place, and they urge with truth, that the change from slavery to freedom was an immense revolution effected by law; that it changed the relations, changed the mode of proceeding, changed the social condition of the labourers of the West Indies ; that it reduced their produce from 4,000,000 cwts. of sugar to 2,500,000 in the course of a very few years; and then even your 20,000,000*l.* of compensation, large, liberal, and bountiful as it was on the part of the people of this country, has not been a complete and full compensation for the losses which in those first years they have sustained. They say, moreover, that having made the attempt to reconcile themselves to this great change, to employ labourers by new means, to offer wages instead of compulsion, to entice labourers away from indolence and enjoyment, which to men just set free must have been so powerful, this country did not allow them a full admission to other markets of the world, whence they could obtain a supply of free labour. Now, I think they are somewhat justificd in this complaint. I do not think the Government of this country, or the Parliament of this country, was wrong in being exceedingly jealous at the beginning, lest anything like the Slave Trade should be resorted to. Such was the cause of the Orders in Council which prohibited the procuring of labourers from Africa ; such was the cause of the complaints made in the House of Lords of those Orders in Council which permitted the Hill Coolies of India to be employed in Guiana, and of the refusal by this House to admit them into another Colony. That was a justiable reason, no doubt, and a just cause to refuse an increase of labourers by these means in the West Indies ; but it was not the less a real grievance to the proprietors in those Colonies ; it was not the less a reason why they should equitably demand delay in respect to any scheme to equalize the duties on their produce with those on the produce of foreign nations. But there are reasons connected with the revenue likewise, which I think are sufficient to induce this House not to consent to immediate equalization, but to propose that it should be for some time delayed. Any sudden or abrupt change of duty would no doubt most seriously affect the revenue, not only by causing an interruption in the cultivation of sugar in your own Colonies and in the East Indies, but by causing the markets to remain unsupplied for a considerable time. I therefore, Sir, in what I mean to propose to the House, shall recommend at the present time a large reduction of duty, a complete withdrawal of the present prohibitory duty, and a very slight change, after the first year, from year to year, till the duties are entirely equalized. It was at first thought by those who represent the West India Colonies, that the Government would be disposed to consent to a reduction of the duty upon all foreign sugar to 23*s.* 4*d.*, which is the duty of foreign muscovado sugar made by free labour ; but, upon considering that proposition, it appeared to us that with a very slight increase of price in the market for foreign sugar in this country, we should entirely lose the benefit both to the consumer and the producer. The prices of foreign sugar, I think, according to the printed Paper laid on the Table of the House on the Motion of my hon. Friend the Member for Lambeth, averaged in the year 1845, for Brazil sugar, brown and yellow, 20*s.* 5*d.*, and for West and East India and Mauritius, 32*s.* 8*d.* Now, supposing a duty of 23*s.* 4*d.* to be imposed, we cannot but suppose that the price of the Havannah sugar would rise to 25*s.*, and you would then have a price of 48*s.* 4*d.*, being a price greater than the 32*s.* 8*d.* with the 14*s.* duty upon colonial sugar. We should therefore be exposed to the same result which followed the right hon. Baronet's proposition of 28*s.* and 23*s.* 4*d.* for foreign free-labour sugar. I shall therefore propose that in the present year, instead of the prohibitory duty of 63*s.*, and the duty of 23*s.* 4*d.*, there shall be on all foreign muscovado sugar a duty of 21*s.* per cwt., and I shall propose that that

duty be diminished in the following manner:—duty to July 5, 1847, 21*s.* per cwt.; to July 5, 1848, 20*s.* per cwt.; to July 5, 1849, 18*s.* 6*d.*; to July 5, 1850, 17*s.*; to July 5, 1851, 15*s.* 6*d.*; and that from July 5, 1851, a similar duty of 14*s.* shall apply to all muscovado sugars. Now, I say nothing here of the propriety or the advantage that might be derived from a still further reduction of the 14*s.* duty; considering that this an operation which is to be carried over five years, that in the present state of the revenue (of which I shall have something to say before I conclude), and in the present state of the Session, it would not be right in us on any speculation to ask for any considerable reduction of duty below the reduction made last year. I should say, with respect to the distinction that was made last year of the clayed sugars, it is quite true, and I have shown by the account of sugars entered, that that has not operated on the sugars to which it was proposed to be applied; but at the same time I find in all the Prices Current, and in the returns of the merchants, that with regard to all the Havannah sugars there is the distinction of what is called white sugar, or white clayed sugar, of which the price is 4*s.*, or more, above that of the brown sugar. I have only to state at present that in the schedule which I shall lay on the Table of the House I propose to keep up that distinction in the same manner in which it was made last year. I do so on account of those sugars. Of course, I have not been able to obtain all the information I could wish upon a subject on which the intention of the Government could not be disclosed; and, therefore, with regard to that part of the plan, it may be varied by information subsequently obtained. [Sir R. PEEL: Will that distinction be applied to all clayed sugars?] The Havannah sugar is the cause of our preserving this distinction, but it will be continued as to all clayed sugars. There will be from year to year a similar reduction to that which I have stated on the refined and double refined, and on molasses, in similar proportions; but I need hardly read the table to the House. We have likewise been urged to take some measures with respect to various other subjects on which the West India body think themselves aggrieved. They have stated, that while they think any equalisation of foreign and colonial sugars unjust to them and inconsistent with the policy which Parliament has hitherto pursued; yet, supposing it to take place, there are claims which they think they are entitled to make to be placed on a footing of equality as regards other matters. The first refers to that subject which I have already mentioned to the House, the subject of immigration. I remember, when I was in the Colonial Office, we had so far relaxed the Orders in Council hitherto made, that I proposed to obtain the sanction of the Queen in Council to an Order permitting negroes to emigrate from Sierra Leone to the West India Islands. Those Orders in Council were very much considered by the Government that followed; various relaxations have been made; and, with respect to other parts of the world, I believe very considerable relaxations of a similar description have been adopted by Mr. Gladstone, the late Secretary for the Colonies. With respect to that subject, there is only one material alteration which we propose to make; it is at present forbidden to make any agreement or contract in Sierra Leone or the British settlements in Africa which shall hold good in the West Indies. We think, upon the whole, that with the present knowledge which the West Indian proprietors have of the conduct of the blacks—with the knowledge of what was stated by Lord Metcalfe, that, in fact, the blacks in the West Indies have much more command over the employers than the employers over them—it is safe to allow these bargains to be made for a limited time: I should say not beyond a single year. But, with regard to another proposal that is made, namely, that this should be the case elsewhere, with regard to emigrants proceeding from the coast of Africa, where we have not possessions, where the British flag does not fly, and especially the Kroo coast, we must say, we do not think it is safe to allow such contracts, or to say that these should be protected from the British cruisers, unless there is some British authority under which the bargain is made. There is another question upon which these parties have laid considerable stress, which refers to the introduction of colonial spirits or rum into this country; they say that rum is not admitted into this country upon equal terms with other spirits. That subject has been referred by us to the consideration of the Excise; and the information that I have obtained upon the subject leads me to this conclusion—that while there is a difference of from 7*s.* 10*d.* to 9*s.* 4*d.* a gallon in the excise duties of this

country and the duties upon rum, yet that difference is not to be placed to the account altogether of differential duty. The statement is, that while in the process of distillation the excise duty is at once levied on British spirits which are afterwards subject to leakage and other losses, rum arriving in this country, and taken out of bond, arrives in a state in which it has undergone all those losses; and, therefore, there is not a smaller quantity to sell than has paid duty. We think, however, that there may be some reduction in the duty on rum, and that the differential duty of 1*s.* 6*d.* may be reduced to 1*s.*, placing them on terms of greater equality. There is another question with regard to which there is far more difficulty, and upon which I do not feel myself in any way authorized to give satisfaction to the West India body; they complain of the differences that exist in the duties in Scotland and Ireland, while the same duty is still levied upon rum. Any alteration in that instance would, I think, lead to great difficulties in principle, and great difficulties in application It would lead to the question whether you should not admit foreign spirits likewise, subject to the same differences in Scotland and Ireland, which you do in England. It would lead to many questions of difficulty with regard to a difference of duty upon the same article admitted by a customs duty in different parts of the United Kingdom. Upon that subject I shall be ready to hear the argument when it is stated; but I certainly do not feel, in the present instance, that we ought to make any alteration of that kind. There is another demand, likewise made, to which I do not feel myself enabled to agree. It is proposed that molasses should be admitted into our breweries and distilleries. Now, at first, there appears nothing more fair than that proposal. It appears that is only asking that those who wish to consume this article in the breweries and distilleries should have the power to do so, and that the colonial sugar should be admitted as well as the barley of foreign countries into the breweries and distilleries. But in the application of the principle to practice there are various and very considerable difficulties. There is a great difficulty with respect to the exact amount of duty which ought to be imposed upon these sugars, and great difficulty in the practical levying of the duty with the Excise; and, as far as I am informed, I do not feel that I am able to comply with that request. There is another question, upon which, according to the principles that we have stated, they ask that there should be an abolition of the duties which are now levied in the Colonies. There are certain articles on which the colonists are obliged to pay differential duties in favour of articles the produce of this country as against foreign productions. Now I think it is but fair, when we are endeavouring to carry those principles into effect, that we should allow the colonists the full benefit of them, so that they may be enabled to obtain their provisions and their lumber in the cheapest markets. There may be some articles with respect to which there must be some delay; but we propose, in imitation of an Act passed some few years ago, to introduce a Bill giving to the Queen in Council power to assent to any Acts which may be passed by the Colonies, by which the existing 5 per cent or 7 per cent in favour of this country should be taken away, and the colonists should be enabled to obtain the produce in the cheapest market. In speaking of these subjects some years ago, I said that I thought that the whole system on which this country had gone had been that of a vicious circle; that the manufacturers asked to be protected, and that thereby the farmers and the colonists were not enabled to obtain foreign manufactures; that the farmers again asked to be protected, and that consequently the manufacturers and the colonists were not able to obtain provisions at the cheapest rate; and that the colonist again, in his turn, asked to be protected, and thus the farmers and the manufacturers in this country were not enabled to obtain the produce of the tropics at the cheapest rate. I said, that the whole system hung together; that freedom ought to be infused into every part, and that the circle by which these interests were protected ought to be broken. That has in a great measure been done since I spoke; and I do not think, unless the ground of morality as to slave labour, to which I have before alluded, should be thought sufficient to prevail, that you ought now any longer to keep up in favour of the colonists differential duties which inflict so heavy a tax on this country. Appealing to those who during the course of the present year have been in favour of protection, I do not think that they could give any satisfaction, even to their constituents, by saying that in this instance they would endeavour to keep up these protective duties. It would be well to say—if they

could say so—that plans were introduced for the reduction or abolition of protection to the British farmer, and those plans they had successfully resisted; but, as they cannot say that, I think it would be but a bad consolation to say, "It is quite true that with respect to all those duties which protected the British farmer, and which prevented the foreigner coming into competition with him, we have been unsuccessful in our endeavour to maintain them; but yet we have so contrived that the farmer himself shall be obliged to pay a high price for his colonial produce, and that the labourers whom he employs must still deny themselves that colonial produce, whilst at the same time, with respect to all agricultural products, they are subjected to competition." There is, however, another view of this subject which I beg leave to submit to the House, because it refers to what may be in another year the state of the revenue with respect to the income and expenditure. The right hon. Gentleman opposite, the late Chancellor of the Exchequer, made a statement, which no doubt he was perfectly justified in making, of the prospects of the present year; but it was impossible not to perceive that with respect to the future year, in reference to which he was certainly not bound to make an estimate, the prospect afforded was of a far less consolatory description. The right hon. Gentleman estimated the total income of the country for the year 1846-7 at 51,650,000*l.* Of that sum the amount of the China money was 700,000*l.*, and the estimated permanent income therefore would be, that sum being deducted, 50,950,000*l.* The expenditure the right hon. Gentleman estimated at 50,873,546*l.* If we take away from that expenditure 200,000*l.*, which might be of a temporary nature, the expenditure would be reduced to 50,673,546*l.*; but then we must add certain expenses which the right hon. Gentleman was not bound to take into his view, as he was only taking certain portions of the year, and apportioning the expenses thereto. The expense of the Irish constabulary was only taken for half the present year, and therefore there must be added the amount which will be due in the next year, viz., 175,000*l.* Then there was a deferred estimate for a quarter of the year on account of certain army and ordnance services. It would be necessary to take four quarters in the next year, and this would make a difference of 283,000*l.* Another half-year's expenditure for auditors, schoolmasters, and medical officers of poor law unions, which had been voted for a half-year only in the estimates of 1846-47, would amount to 61,500*l.*; a half-year's expense for prosecutions would amount to 60,000*l.*; the same for Ireland, 9,000*l.*; a half-year's expense for the maintenance of prisons under sentence of felony would amount to 40,000*l.*; making, in the whole, 628,500*l.* Thus I will state the total future permanent expenditure, according to the estimate of the right hon. Gentleman, at 51,302,040*l.*, and the permanent income, as estimated by the right hon. Gentleman, at 50,950,000*l.*, leaving a deficiency for the year 1847-48 of 352,040*l.* This is the result, leaving out of the calculation the sum of 200,000*l.*, which might be a temporary expenditure; but if it were added, the deficiency would be upwards of half a million. Under these circumstances, it does seem expedient, if it can be done fairly, to endeavour to obtain an increase of income for the country, without at the same time augmenting the burdens of the people. The plan which I have proposed, supposing that there would be imported, as the produce of the West Indies, the Mauritius, and the East Indies, 240,000 tons of sugar, would give 3,360,000*l.* of revenue. I stated in the course of what I addressed to the House, that it might be expected that 20,000 tons of foreign free-labour sugar would arrive in the course of the present year. With respect to other sugar, we must expect that there will be no very great supply in the present year, owing to the obstacles interposed by the navigation laws. A great part of the supply of foreign sugar, which is at present in warehouse in this country, has been brought in by American ships for the purpose of being sent forward to foreign ports. Therefore, under the navigation laws, that would be inadmissible into this country, even supposing that it were otherwise admissible by law. I think it would be very presumptuous in us if we were merely for this emergency to propose to alter the navigation laws. Any question of that kind ought to be deeply and seriously considered, and ought to be proposed with respect, not to any temporary but to some permanent change of those laws, if such should be thought desirable. The consequence would be, that only a small portion of the foreign sugar now in bond would be admissible under this change of duty; and having taken some pains to inquire on the subject, I find the quantity of the foreign sugar, now warehoused,

which would be at present admissible under this change of the law, estimated at from 6,000 tons to 8,000 tons, or at the most 10,000 tons. I should say that the quantity would be about 8,000 tons. Now, supposing 20,000 tons of free-labour sugar to be admitted, and adding these 10,000 tons of other sugar now in bond, together with 10,000 tons more to be imported, that would make a total of 40,000 tons, which, at a duty of 21*s.*, would give 840,000*l.* The whole revenue to be derived from the sugar of our Colonies, and from foreign sugar, would be 4,200,000*l.* The revenue to be derived, according to the plan of the right hon. Gentleman, was 3,474,471*l.* Therefore, the increase of revenue under this proposed plan would, in the present year, amount to 725,529*l.* It is evident, therefore, that that amount of revenue would at once turn the balance in our favour in the course of the next year, and that we should have some surplus of revenue over expenditure. The plan will, besides, have the great advantage of giving to the people of this country an increased supply of sagar. I have now stated generally what is the plan proposed by Her Majesty's Government with respect to the Sugar Duties; and I should add, that I look to this plan as a plan which, as far as principle is concerned, is to be a permanent settlement of these duties. I shall therefore propose, if these duties should be carried in Committee, to found on them a Bill which should make the Sugar Duties permanent, not leaving the question to be debated yearly with all the uncertainty which belongs to it at present. I feel sure, that, much as the West Indian interest may feel aggrieved by the change which takes away prohibition, yet that the settlement of a question which has been to them a source of so much anxiety—which has been so repeatedly a matter of debate—will be in a great measure a compensation for the change in the law. I do not propose to vary in any respect the constitutional practice of leaving a large, a considerable amount of revenue, dependent on a yearly vote of this House, as hitherto has been the case. I shall therefore propose some other source of revenue, which I will state before these Resolutions are formed into the shape of a Bill, to be yearly income, and for which, previous to the 5th of July, the Minister of the Crown shall every year be obliged to ask the consent of Parliament. I think that it would be unfortunate that the duties on sugar should be made the annual subject of debate; and, without departing from a constitutional practice, I shall endeavour to find some other duty, which it will be less objectionable to take as an annual vote. I know some persons will say that by the plan now proposed we are again breaking in on our colonial system; that we are destroying that protection which ought to be given to the Colonies; and that we shall be lessening the affection of those Colonies to the mother country. But I own that I consider the time is come when, with respect to this subject, you must adopt an altered, and, as I think, an improved policy. It was the habit of this country, and of other countries, to provide that they should have a monopoly of the commerce and productions of the colonists, and that the colonists should be obliged to take, exclusively, the produce and the manufactures of the mother country. I believe that no country was more rigid and exclusive in that system than Spain. That country had a vast colonial empire, and yet at the end of two centuries and a half after she had acquired that empire, we find Sir R. Walpole stating to this House, on the question of the Spanish trade and galleons from South America and the Spanish West Indies, that the greater part of the goods so to be introduced into Europe would belong, not to merchants of Spain, but those of other countries. Such was the result of an exclusive and rigid system. Impelled by energy and invigorated by the spirit of freedom in commercial transactions, my belief is that the colonists will gain, and not suffer, by this great change in our policy. I believe that the cultivation of sugar itself will be advanced to a greater extent when the colonists know that they must compete in the market of the mother country with the productions of other countries. I believe that they will derive fresh energy from being allowed to seek where they like for the cheapest products of the other countries of the globe; and, Sir, bear in mind that we will not part with this great advantage—that neither in this country shall we ever impose differential duties as against the colonists, nor will the colonists ever impose such duties against us. This is a commerce which will be secure in war as well as in peace—commerce that is not exposed to the danger of conflicting tariffs, but in which custom-house duties are imposed only for the benefit of the whole. The colonists, I think, derive

great advantage from being connected with this country, and from having the benefit of all the skill and the accumulated capital of this country; and this Empire has an immense advantage also in the loyalty, the strength, and the assistance of the colonists. But these colonists must not hereafter exist on the limited and restricted system of former days; that must be acknowledged to be erroneous, and other principles must prevail. I believe that both the mother country and the colonists will flourish all the more for the abolition of useless restrictions, and that after some period of murmuring, perhaps some passing cloud of discontent, we shall acknowledge both in this country and in the magnificent possessions belonging to us, that we have been heretofore mistaken in following the former policy of restriction, and that the affection felt reciprocally will be all the stronger when neither party is subject to any restrictions imposed by the other; when the colonists are neither obliged to submit to restrictions for some supposed benefit to the mother country, and when the mother country is not deprived of the benefit of some of the choicest productions of the globe for the sake of the colonial interest, favoured by her imperial laws. The colonial empire of this country is an empire of which every British statesman is most justly proud, and to which the people of this country attach the highest value. I trust that when this better system has been adopted, we shall see the Colonies increase and flourish; that we shall be proud of them as our creation; that we shall continue to see them in the enjoyment of that liberty which we have given them; and that both they and the mother country may flourish in union for ever. I shall now conclude by proposing a Resolution for the continuance of the present duties on sugar, and by laying on the Table the Resolutions the nature of which I have explained to the Committee. I trust that these Resolutions will be hereafter adopted, and, if they should be, I think the present Ministry, however short may be its existence, will not have administered the affairs of the country without effecting some national advantage. The noble Lord moved the following Resolution:—

"*Resolved*—That towards raising the Supply granted to Her Majesty, the several Duties now payable on Sugar, be further continued."

MR. GOULBURN: Sir, the proposition of the noble Lord is one of such extreme importance, both commercially and politically, that I think I shall best consult the fair discussion of the question by forbearing to enter into any debate upon it until I shall have had an opportunity of examining the Resolutions, and rendering myself able to comprehend the details of a system which must necessarily be rather complicated. I shall now confine myself to asking the noble Lord a question with respect to one part of his system upon which I did not fully understand him. The noble Lord stated with respect to the colonial trade, that it was his object by Act of Parliament to empower the several colonial Legislatures to repeal such portions of the discriminating duties at present existing in those Colonies as regarded the produce of foreign countries and the produce of Great Britain, as the Colonies might think it for their advantage to repeal. Now I did not understand the noble Lord, whether it were his intention still further to give extension to the colonial trade by permitting an intercourse in the produce of those Colonies with foreign countries, and for re-importation to those Colonies of the produce of foreign countries in the ships of foreign countries, or whether the trade would be confined to the ships of this country? I think this is an important point, and I should be glad for the noble Lord to have an opportunity of explaining it.

LORD J. RUSSELL: What I propose to do is, to empower Her Majesty (not the Governors of the Colonies) to give Her assent in this country to any Bill passed by the Colonies which would take away those discriminating duties on foreign produce. I do not propose, in any respect, to alter the navigation laws which now exist; I only propose to give that power to Her Majesty in case the Colonies should alter those duties.

LORD G. BENTINCK: I fear, Sir, that in the able and perspicuous statement of my noble Friend two communications alone will be agreeable to the hon. Friends around me—the one that it is the intention of my noble Friend, when he settles the Sugar Duties, to put an end to the vicious system that has lasted for many years, of renewing those duties for one year only; the other, that it is the intention of my noble Friend to facilitate the means of the West Indies in obtaining labourers from other countries. With respect to the Resolution now before the House for the temporary enactment of a measure for the levying of the Sugar Duties, my noble Friend

will have my support and the support of my Friends around me; but with respect to that measure of which he has given us an outline, I fear I cannot promise him the support of those who are acting with me. True to the principles upon which they have acted upon former occasions, my hon. Friends around me will not be disposed either to consent to the admission of slave-grown sugar, or (if high moral grounds do not impose it upon them) to remove from the West India interests the protection which they at present enjoy. My noble Friend has spoken of the colonial system as a vicious circle. My hon. Friends around me differ altogether in opinion from my noble Friend. They are of opinion that so far from being a vicious circle, it is the wisest policy to at once give protection to the East and West Indian interests, and to our manufacturing interests at home. My noble Friend has said that in his opinion, having lost our protection, it will be but bad consolation to the agricultural interest, which we represent, that we should now refuse it the opportunity of obtaining cheap sugar. I can tell my noble Friend that it will be no consolation to the agricultural interest now to be avenged upon the East and West India interests for that protection of which they themselves have been mainly deprived. True to the principles of protection, my Friends around me are determined to support the East and West India interests. They are resolved to support British capital wherever they find it invested. A statement has been made that there is a great fear with respect to the supply of sugar. But I think my noble Friend has understated the quantity of sugar that may be expected to be derived in the sugar year of 1846-7, from the East Indies and the Mauritius. He stated the amount of sugar to be expected from the Mauritius at no more than 50,000 tons. I believe, from the best information I can obtain, that 60,000 tons will be the amount of produce we may expect from that quarter. My noble Friend has also stated the produce of the East Indies at no more than 80,000 tons. I believe there is every reason to expect that the produce of the year to come, 1846-7, will be 100,000 tons from Bengal alone, exclusive of the sugar expected from Madras. I have taken some pains to make inquiry upon these points, and such I have learned will be the results of the crop of the present year. With regard to Madras there is good ground for the expectation; for whilst the exportation from Madras during the first three months of last year had not exceeded 600 tons, the exportation for the first three months of the present year amounted to 3,500 tons, or more than five times the produce of last year. I believe, then, there is every reason to expect that 15,000 tons will be imported from Madras alone. If this be the case, the defalcation from the drought in the West Indies will be made up for by the greater produce of the East Indies. My noble Friend will call to mind the enormous increase of produce in the East Indies under a system of protection during the last ten years. He ought not to be sceptical on this point. It was in the year 1836-7 the differential duty was reduced and rendered equal between West and East India sugar. In that year the quantity of sugar, the produce of the East Indies, imported into this country, amounted to between 13,000 and 14,000 tons. Since then, ten years of protection have so far encouraged the growth, that the amount, as I have already stated, to be expected in the course of the year from Bengal will reach 100,000 tons. I believe, therefore, that in the estimate which my noble Friend has given to the House, of the quantity of sugar to be imported from the East Indies, he has far understated the probability of the case. Upon these grounds then, not wishing on the present occasion to enter upon further discussion, but reserving myself for a future occasion, I beg leave to intimate that it is my intention, when my noble Friend shall introduce his Resolution for the permanent settlement of the Sugar question, upon the basis of which he has given an intimation to-night to the House, to propose an Amendment to that Resolution.

Mr. GRANTLEY BERKELEY trusted that in the observations he would address to the House when he alluded to that part of the West Indies with which he was intimately connected, it would be understood that what he stated was the result of practical experience. It appeared, then, that they were going to have free labour thrown over. In a petition which had been presented that night from the Tower Hamlets, it was stated that there was not a sufficient supply of sugar for this country; and then they were asked—where was the great supply to be had from? He maintained that in the first place they should look for supply to their own Colonies, and that no hon. Member had a right to say to the House and the country, that there was not

a sufficient supply of sugar from the Colonies for home consumption until they had a fair opportunity of sending the produce they could raise, if they had a sufficiency of labour at their disposal. With respect to the Colony with which he was connected—viz., Berbice, if they took away protection, while there existed the present inability to obtain free labour, he must say they could not enter into competition with other sugar-producing countries; and he could assure the House that that Colony of Berbice was at present in a complete state of disorganization. There were proprietors in that Colony at the present moment in an absolute state of starvation, not because they had not a most fertile soil—not because they were not anxious to pay for labour, if they could get it; but simply because they could not obtain a single hand to work upon their estates. Under those circumstances, his noble Friend should give the subject great consideration before he proceeded further. Such a state of things could not last long, but must speedily end in the ruin of the Colony, if not remedied. Then, if an absentee proprietor forwarded the most humble petition to the Governor of the Colony, he did not meet with the slightest consideration. With the permission of the House, he would read a letter which he had received, in reply to a petition that he had sent to the Governor, and which in its tone resembled more an emanation from the Celestial Empire than anything else. It was as follows:—

"Government-house, Demerara.

"Sir—I am desired by Governor Light to say, that he has received your letter of the 15th of May, respecting the management of your plantations, in your revocation of authority from your late agent, and your appointment of Mr. Read in his place, together with other particulars connected with the management of your property in that Colony. His Excellency is quite at a loss to conceive why you should have thought it necessary so unceremoniously to bring these private affairs under his notice, especially as he has not the honour of any personal acquaintance with you. If you have been induced to do so under a supposition that his Excellency's position, as Governor of Guiana, imposes upon him the superintendence of landed estates, you are under a misapprehension."

The hon. Gentleman having commented on the inconvenience arising from the colonists being subjected to Dutch law, concluded by observing that he could not support the proposition of the Government unless they gave the subject of the supply of free labour greater consideration; and that it was impossible for the colonists otherwise to consider the plan of the Government of utility either to themselves or to the mother country.

In answer to MR. MOFFATT,

The CHANCELLOR OF THE EXCHEQUER stated, that he apprehended the first question of the hon. Gentleman was, whether it were proposed to maintain the present differential duty upon clayed sugar and sugar equal to clayed? He did not know whether hon. Gentlemen remembered that about two years ago, when that duty had been reduced, he had stated that he had no objection to the duty on principle, but that he believed it would be impracticable in operation; and certainly the result of a return which he had moved for at the end of last year, stating the quantity of sugar admitted as white and clayed sugar duties, did show that the duty was nugatory in effect. At the same time it was a question attended with a good deal of difficulty, which had not been diminished but rather increased by the introduction of Havannah sugar. He had, therefore, retained that duty in the Resolutions before the House; but the Government were perfectly ready to receive any information that could be laid before them, as to whether it might be necessary to retain or dispense with that duty. They would take further time to consider as to what they would determine finally to adopt. The next question referred to the duty on refined sugar. There could be no doubt as to the maintenance of that duty; and he proposed to go further, and add words which he did not believe would extend the practice of the Resolution, but would make the intention of it more clear. The words he would add were "other refined sugars, or sugars by any other process rendered equal thereto." That distinction would be still essential with respect to Havannah sugars. With regard to the third question, the duty would vary from year to year, taking muscovado sugar as the basis. Every other duty would be fixed by a rule-of-three sum according to that basis, and the duty for the first year would be 28*s.* upon refined sugar, 24*s.* upon clayed; 21*s.* upon muscovado; and 7*s.* 10*d.* upon molasses. With respect to sugar-candy, he did not think there would be much objection to putting it on the same footing as double-refined sugar. The Resolutions containing all the duties would be introduced, as his noble Friend had given notice, on Friday next.

MR. P. M. STEWART was happy to find that the interests of the Colonies were

not to be disturbed every year, but were now to be fixed by a final settlement. There were two points, however, touched upon by his noble Friend which might throw great obstacles in the way of the final settlement of the question, and to which he wished to direct attention. They were to have free-trade principles introduced with regard to sugar; but rum, the staple produce of the Colonies, was, it appeared, to remain under the old system, and to be treated rather as a foreign than as a colonial spirit. His noble Friend had said that upon reference to the Excise, he found the difficulties that existed and were acknowledged on the subject, were such as to be almost irremovable; but he (Mr. Stewart) begged leave to remark that there was no case upon record of a reference to the Excise of this country, for the purpose of simplifying and regulating the duties of that office, ever having been successful; and, therefore, he called his noble Friend's attention to the matter, in order to examine the question more thoroughly than he could have done in the short time that had elapsed since he had taken office, in the hope that he would come to a different conclusion. His noble Friend had said that the discriminating duty might be reduced to 1*s*. But why not extend the same principle to Ireland and Scotland as well as to England? The other point to which he wished to direct his noble Friend's attention was the exclusion of our colonial produce from the breweries and distilleries of this country, which resulted from maintaining a remnant of the old system of Corn Laws. This was, he thought, a most important point for consideration in the settlement of this question; and he hoped his noble Friend and the Chancellor of the Exchequer, instead of leaving it to be dealt with by the Excise, would give it their own careful attention. Let them apply one principle to the colonial interests, and set this question at rest.

Mr. BERNAL thought it a great pity, if the Resolutions were to stand for discussion on Friday, that hon. Members should enter into a debate at this particular moment, when they must, like his hon. Friend, broach a subject in so limited a way that they could not do it justice. He must say, however, with respect to the use of sugar in breweries, that he never could obtain any satisfactory elucidation of the law with respect to it. He was told that there was no restriction upon the use of sugar in breweries; but he had not been able to obtain any explanation of how the matter really stood. The Chancellor of the Exchequer must have had his attention directed to this subject; and he thought the right hon. Gentleman would find great difficulty in obtaining any satisfactory solution of the question, whether sugar could or could not be so used. The brewers declared that it required no statute for the admission of sugar and molasses into their breweries; but he knew, with respect to distilleries, that an alteration of the law was required before they could be admitted; and he thought it would be wise in the Government not to allow the present opportunity for a satisfactory arrangement to slip. Till they saw the Resolutions in print, they could not fairly enter upon the discussion, and he would therefore abstain from saying anything more now.

Mr. BARKLY expressed his regret that the noble Lord had not felt himself in a position, whilst he proposed the admission of slave-grown sugar, to make that admission a little more palatable to those who had been well nigh ruined by the attempts to suppress slavery. When the noble Lord was about to apply the principle of free trade to the West Indian Colonies, he ought to have been better prepared with a reason for excluding the people of this country from using the products of the West Indies for any purposes; and with respect to the keeping up the differential duties of from 50 to 300 per cent on rum, he must ask if the noble Lord would give the Papers on which he had founded his opinions?

Mr. EWART thought it was of the utmost importance to have an early and a permanent settlement of this question; it was most desirable for the commercial as well as the colonial interests; but he differed from the hon. Member for Weymouth, for he thought this the proper time to express a general opinion upon the proposal of the Government, though not upon the details. He should have been glad if the time for the final settlement had been limited to three years, and he should have deemed it still better if there had been no interval; for when they had determined to settle any question, a settlement finally and without delay was the best policy: and the noble Lord thought it would have been best with corn, and so it would have been with sugar. Agan, as far as the general principles of free trade went, he did not see why molasses should not be

admitted for all uses; and he questioned whether the reduction of 6*d.* in the duty on rum was not too small to work well. For himself, he hoped to see the time when the duty on all sugar would be reduced from 14*s.* to 10*s.*, and he believed that reduction would be one of the greatest blessings to the country. He and others had fought this question for years: they began with seeking an equalization of duties on East and West Indian sugars; afterwards they sought for the admission of colonial and foreign sugars on an equal footing; he believed that this would be better for the Colonies themselves, and that they need not wait for a supply of free labour before they admitted competition, since it was by the free and unlimited application of British labour, British skill, and British capital, that the Colonies must be raised.

MR. T. BARING said, it was unfortunate that the Government had not sufficient information to guide them as to whether they would continue the differential duties between refined clayed sugars, or sugars equal to refined clayed, as the market would remain in a state of suspense till the question was settled by the Government.

The CHANCELLOR OF THE EXCHEQUER said, that what was refined, or equal to refined sugar, it was intended should pay the same duty under any circumstances; and he had introduced words into the Resolution to meet that case. As to what had fallen from his hon. Friend (Mr. P. Stewart) as to other measures for the admission of West Indian produce, he must say, that the question of the free introduction of molasses and sugar into breweries and distilleries was not quite so simple as he thought: on account of its probable interference with the malt duty the proposal could not be lightly entertained. Her Majesty's Government were prepared to give a fair and impartial consideration to the proposal if it could be carried out without interference with other interests and duties. In the same way the equalization of the duties on rum and other spirits in Scotland and Ireland was not so simple as his hon. Friend supposed. It was something perfectly new to introduce different import duties in different parts of the United Kingdom; the only exception was with respect to spirits coming from the Channel Islands; and that exception was of no importance, as no spirits had been introduced. There was not the least doubt that it was an anomalous state of things to have a different rate of excise duties in different portions of the kingdom; but that distinction was adopted solely because it was calculated to put down illicit distillation. It had answered this purpose; but it was in other respects indefensible; and he was not prepared to give any assurance that the Government would carry this anomaly any further. The differential duty upon rum was not imposed for the purpose of protection; it was done to place rum and British spirits upon a precise equality. The duty on British spirits was 7*s.* 10*d.* and on rum 9*s.* 4*d.*, making a difference of 1*s.* 6*d.* Those duties were settled, because it was supposed that they brought the consumption to equal terms, and to balance the disadvantages to British spirits. He admitted that rum and British spirits ought to stand upon precisely the same footing; and on that principle the existing differential duties were supposed to admit them. After inquiry, however, he had arrived at the conclusion that the differential duty of 1*s.* 6*d.* was too high; and he was inclined to believe, according to his present information, that a duty of 1*s.* would bring them into consumption on equal terms; and he had come to the conclusion that the reduction of one-third of the difference would, under the circumstances, be proper; but, if the West India interests could show that this reduction was not fair, he would reconsider the question; for the only object of the Government was to put both on an equal footing.

MR. H. J. BAILLIE said, it was unusual, and he believed unprecedented, for a Government to bring in a measure of such great importance at this late period of the Session. The question related to three important subjects—to slavery, to finance, and to the Colonies; and the House was about to deal with it in the beginning of August, when it was perfectly notorious that many Members had left London, and when it would be impossible to obtain a fair expression of the feelings of Parliament. If the noble Lord had proposed the renewal of the present duties for one year, he would not have met with opposition from any party.

MR. HUME, so far from agreeing with the hon. Member, thought that the Government ought to have full credit given to it for bringing forward a plan for the settlement of the Sugar Duties at once and finally. He could not but consider it

a great advantage to the interests of the consumers and of the producers that the duties, which, on being annually voted, had produced so much stagnation and uncertainty, should be settled; for those who produced sugar would not apply their capital when they did not know what the duties would be in the following year. Perhaps the hon. Gentleman did not know that in consequence of the high prices a great quantity of sugar had been brought to this country; but that a loss incurred upon this sugar had prevented the increase of produce until the matter of these duties was settled. For the purpose of settling the matter, the House should sit, if necessary, beyond the usual period. He was glad to find the facility to be given to the introduction of labour, which was the one thing necessary to procure capital to be employed; but he wanted to impress upon the noble Lord the expediency of putting an end to the differential duty, and to make the duty the same in Scotland and Ireland as in England. In Scotland the duty on spirits was 3*s.* 10*d.*, and the duty on rum, 9*s.* 4*d.*, was perfectly anomalous. Then, as to the prohibition of the use of sugar and molasses in breweries and distilleries, it was a monstrous absurdity to continue the present system; when sugar had once paid the duty, every individual ought to be allowed to apply it in any way he pleased. He thought it would be of advantage to the House and to the Government, if any one had any objections to any part of the scheme, that he should state them at once. The noble Lord (Lord G. Bentinck) hrd objected to the plan on account of the slave question, which he thought had been settled. He highly approved of the course the noble Lord (Lord J. Russell) had taken. He only feared it would occasion some loss of revenue; but if this were not the case, there could be no objection to it. He hoped to see the time when the duty on all sugar would be less than 10*s.* If this change were not effected too suddenly, it could be made without loss to the revenue. Sudden changes only benefited the foreigner; but when they were made gradually, the consumer got the benefit, as he ought to have in every case of reduction. He considered that, after corn, this was the most important subject that could engage the attention of the Legislature; and he trusted that the same Session would witness the settlement of both questions.

Mr. HENLEY said, the argument of the noble Lord (J. Russell) seemed to be that, because they did wrong in admitting one article of slave produce, they were justified in admitting others. It would appear from this that they were to have free trade in morals as well as in everything else.

Mr. RICARDO said, he could not agree with the hon. Member for Montrose; and his hon. Friend's doctrine, which was quite new to come from such a quarter, surprised him much. He believed that the worst part of the Corn Law Repeal Bill was the postponement for three years of the final settlement of the duties. He thought the noble Lord had not made out a case, either in a financial or colonial point of view, for delay in equalising the duties on foreign and colonial sugar; and he hoped, as the Chancellor of the Exchequer had expressed himself open to conviction on many points, he would be open to conviction on this point also, and cause the duties to be made equal at an earlier period.

Mr. WAKLEY observed, that the noble Lord on the cross benches expressed great satisfaction at the portion of the plan which permitted the unlimited introduction of free labour into the West Indies; and yet the noble Lord dwelt with a most energetic tone upon his adherence to the principle of protection, stating that British capital should be supported. But what was the fact: the introduction of crowds of labourers into those Colonies would swamp the West India labourers, at present living in comfort; and the enormous importation of these men would revive slavery there in its worst form. The House should recollect the case of the Hill Coolies, and pause before they sanctioned that part of the scheme. He (Mr. Wakley) trusted that the noble Lord would, at all events, see if an unlimited supply of labourers was to be permitted, that the Slave Trade should not be again revived—that merciless, cruel, and cold-blooded speculators should not be allowed to prey upon human life—and that those wretched creatures who were imported into the West Indies should have the same degree of protection accorded to them as the Hill Coolies.

Sir R. H. INGLIS observed, that the acuteness of the hon. Member for Finsbury seemed for once to fail him: the House had decided nothing, not even that the Resolution should be adopted, up to that moment; though the hon. Member had assumed its sanction to the importation

of unlimited labour. The hon. Member, however, had no reason to fear anything on the subject of the revival of slavery; for three hon. Members had risen to protest against it, and he (Sir R. H. Inglis) would be ready to do so when occasion should arise.

VISCOUNT SANDON was understood to suggest that those statements which referred to colonial protection had better be deferred to another Session. The effect of admitting slave-grown sugar directly to the English market would be to act indirectly upon the whole market for foreign sugar, and raise the price, perhaps as much as 25 per cent. With reference to the observations of the hon. Member for Finsbury respecting the condition of the West India labourers, he thought that the House was bound to attend to the condition of the East Indian labourers also, and not to make an exception of one in favour of the other.

MR. BORTHWICK said, if he opposed any part of the scheme of the noble Lord, it should most certainly not be that part of it which abolished the distinction between free and slave-grown sugar.

LORD J. RUSSELL, in explanation, stated Her Majesty's Government were not prepared to admit applicants for labour from the coasts of Africa, where there was not a British settlement, for fear that anything approaching slavery should take place. Precautions would also be taken to secure the principle of free and voluntary emigration in all other cases. With respect to the remark of the noble Lord the Member for Liverpool, as to the probable rise in foreign sugar, no doubt there would be a rise; but then it would only be, according to his opinion, temporary.

Resolution agreed to.

House resumed. Resolution to be reported.

NAVAL COURTS-MARTIAL AND FLOGGING SAILORS.

On the Motion that the Order of the Day be read for a Committee of Supply,

MR. W. WILLIAMS rose to call the attention of the House to the practice of flogging sailors, and to the manner in which courts-martial were constituted in the British navy. The severity of our criminal code had been very greatly ameliorated: the punishment of death, which was formerly inflicted for numerous crimes, was now imposed only in a few cases. He must point out one or two cases of material difference in the punishment for the same offence, as inflicted by the criminal law, and as enforced by the regulations of the navy. Stealing was now frequently punished by short imprisonment. The sailor was liable to be hanged for this offence. Many Chartists had been punished, of late years, by a three months' imprisonment for seditious words. A sailor, for the like offence, would be condemned to death. And let it be borne in mind how differently circumstanced were the two men. A sailor might have been seized by a pressgang, dragged from his home like a criminal, have all his prospects blasted, and under feelings of irritation from such treatment, might utter words of complaint which might be construed into seditious language. Such a punishment ought not to be allowed to remain on the Statute-book for another day. And under whose authority were such punishments inflicted by courts-martial, consisting of commanders and post captains, without any appeal from their judgment? The civilian might appeal for mercy to the Crown; but the sailor had no appeal. In the army there was protection against any violence or injustice. The punishment of flogging could not be inflicted without the sanction of a court-martial. The sailor was flogged at the sole will of the captain. In his opinion the time was come for according to the sailor the same protection as that vouchsafed to the soldier or to the person in civil life. All these severities were inflicted on men who, by an Act of George II., were declared, "under the providence of God, to constitute the wealth, safety, and strength of the country." By the Act he had referred to, a power was given to the Admiralty to make orders and regulations for the navy; and it was under this power that the flogging system was carried out. Under one of the sections of the Act it was declared that all punishments not mentioned in the Act, should be inflicted on sailors according to the practice of the navy; but it was in the orders and regulations he had referred to, that we must look for the establishment of the practice of flogging, and for the definition of the power under which it could be exercised. He admitted there had recently been instituted regulations which were a great improvement on those that preceded them. Previously, any commander of a ship could flog his men at his own will and pleasure: they could tie a man up for a trivial offence, and order

the infliction of as many lashes upon him as they thought fit—a power, he conceived, that reflected no great credit on those that conferred it. But what was the amount of protection now afforded to the sailor under the new regulations against this most degrading species of torture—a torture that violated the best feelings of humanity, and that had broken the hearts and spirits of many of the bravest men this country had produced? Nay, it had done still worse; it had driven those gallant spirits who had fought and bled for their country into the service of the foe; and those very men were recorded in the history of the country as having humbled her flag, which no other Power had been able to do. He would ask the gallant Admiral (Sir George Cockburn) connected with the Admiralty to refer to the American war; and in support of what he now stated, he would undertake to authenticate a great number of instances in which the system of flogging had produced the consequences he had noticed. What were the present regulations about flogging? It limited the number of lashes to forty-eight; but he had been told by a naval officer who had seen as much service as any hon. and gallant Member in that House, and by others who had encountered the "battle and the breeze" in all their most imposing character, that forty-eight lashes inflicted in the navy were equal to, at the lowest estimate, 200 lashes on the soldier. Common sense pointed out that this must be so. The soldier was flogged with a cat-o'-nine-tails composed of small twine, and the punishment was inflicted by a drummer boy. In the navy, the cat with which the sailor was flogged was made of thick cord, and it was applied by some brawny stalwart boatswain's mate, perhaps the strongest man in the ship. The commander stood by at the time of punishment to see that the man laid on with sufficient severity, though it made the blood flow from every pore. Not content with this, commanders—he had been told the circumstance by naval officers, and would prove the fact before a Committee—had ordered the mate to be changed between every dozen or eighteen lashes, that the flogging might be administered throughout with sufficient strength. It was not so in the army. There was another point: you could never see the punishment inflicted in the navy: you could hear the cries of the soldier, but not those of the sailor flogged on board ship. Now, under what circumstances did the commanding officer acquire power to flog? He acquired it in cases when complaint was made against a sailor. The officer in command was required by the Admiralty order to make an investigation into the complaint. The officer sat as judge; he decided on the merits of the complaint; and then, as it might be, he ordered the man to receive thirty-six or forty-eight lashes. The officer was called on to address a warrant to himself, giving himself power to inflict the punishment. Now, what was stated in the warrant was the name of the man, the length of his service, and the offence. But should the captain see the alleged offence committed, then he became judge, jury, witness, and executioner. He meant of course executioner of his own sentence. Naval Gentlemen in that House appeared to indulge in great merriment over this matter; but he recommended them to recollect that military men had taken up the subject of punishment in the army; and they deserved the thanks of the country for the reform they had effected. And he would tell hon. Gentlemen belonging to the navy that the public would very soon take up the subject of punishment in the navy, and would protect the unfortunate sailors who were tried and tortured without either jury or justice. He would remind the House how much more necessary it was to protect the sailor, who was isolated on board his ship, and had not the same securities against tyranny as the soldier. The soldier before being punished must be brought before a court-martial. The sanction of the Commander in Chief, if in England, or if in the Colonies the sanction of the Governor or Commanding Officer, was required before punishment could be inflicted. Flogging on board ship was carried on without any such salutary protection. If a sailor before the mast was found guilty of a fault or an error, magnified into a crime, he was punished without the formality of a court-martial. The sailor was condemned, perhaps in excessively hot weather, to traverse up and down the rigging, or to wear a wooden collar day and night, perhaps for a month; or he was possibly ordered to undergo the more degrading torture of the brutal lash. He could state a good deal more; but he thought he had given a pretty correct description of what usually took place on these occasions. He believed that every man who was acquainted with naval affairs must

know that almost every mutiny that had taken place in the navy was in consequence of the system of flogging which was practised in that branch of the public service. He knew there were other causes for the mutiny of the Nore, but this was one of them. He wished to ask whether that system was necessary for maintaining the discipline of the navy? The general opinion of the captains was, he believed, that discipline could not be maintained without flogging; but many of the lieutenants, who attended more to the duties of ships of war, took a totally different view of the question; and their opinions on such a question were highly valuable. He maintained, that the punishment of flogging ought not, at all events, to be resorted to without a court-martial was held in the first instance; and as good materials were to be found in a ship of war to constitute a tribunal of that sort as there were in regiments of the army. What better court could be formed than assembling together the captain, the officer of marines, the first lieutenant, the master, and the oldest mate of a ship? Such a change in the system would give confidence to our sailors, because they would feel that something like justice would be done to them. Who were the men who usually flogged in the navy? Were they brave and gallant men who had won victories for us? No; they were a class of persons called martinets, many of them young officers, who knew not the character and often the duties of an old sailor. This, in itself, was a reason why such arbitrary powers should not be intrusted to individuals, no matter how high their rank might be. It was well known that Nelson abhorred flogging, and that he only allowed it on board his ship in extreme cases. Another great man—Napoleon—abolished the system in France, both in the army and the navy of that country; and his plan had been continued with advantage up to the present day. Flogging was also abolished in the Prussian army. Having, then, such high authorities on the subject, it might fairly be thought that the necessity of continuing the present system of corporal punishment was not so imperative as was represented. He knew that some necessity existed for severe punishments in order to preserve discipline; but the power to inflict them ought to be used only after grave deliberation, and then as sparingly as possible. In the American navy, men were never flogged without having been tried and sentenced by a court-martial; and there was not to be found in any service a more able set of men than in the service of America. He had mentioned before that the captains in the navy were, generally speaking, of opinion that flogging was necessary in order to preserve discipline; but the captains were the parties by whom offending sailors were judged. Sir S. Romilly, in his efforts to reform our criminal code, found his strongest opponents in the Judges of the land, not because they did not dislike the office of inflicting capital punishment, but because they conscientiously believed society could not be held together without it. In the same way, the captains were opposed to the abolition of flogging, because they really believed it essential to the preservation of discipline. Well, Sir S. Romilly succeeded in disproving the predictions of the Judges; and the milder punishments which he and the right hon. Gentleman at the head of the Government substituted for that of death were much more effectual in the prevention of crime. In America, where flogging was never inflicted without court-martial, the consequence was that our best men manned the American navy. By the navy list of the United States, it appeared, that of 6,500 men, but 900 were Americans, and these were chiefly petty officers. When he saw British sailors shunning the service of their country, he wished to alter such a state of things. He wanted to make the service attractive; and if the wages of the sailor were not sufficient, he was not the man to object to making them so. He thought the most economical course they could take was to attach the sailor to the British flag; and he was sure, if justly treated, they would fight under no other flag. Why were not the articles of war in the navy subjected to the same annual revision as those for the army? While officers of the army in that House were directing their efforts to the amelioration of their branch of the service, he did not find that the officers of the navy, though very ready for the defence of their class, were directing their attention to the amelioration of the condition of the sailor. The Legislature was improving the condition of the soldier. They provided the soldier with education: why did they not do the same for the sailor? He hoped, however, that the present Government would direct their efforts to this subject; and that this would be the last occasion on which he

should have to bring it before the attention of the House.

Mr. WARD hoped his hon. Friend, who had given him much pleasure by the tone of his remarks, would recollect that the present Board of Admiralty had been only constructed on Monday last. The question to which he more particularly referred had not yet come before them; but he hoped that the question of naval punishments would be brought under their consideration. It had been found impossible to restrict the use of summary punishment altogether. Taking the admission of the hon. Member, that there must be a system of punishment where a large number of men were brought together in one vessel, it was clear that the good sense of the hon. Member would tell him that summary punishment must exist. As for himself, he must say that a greater curse to the service never existed than the old system of arbitrary punishments. But, if the hon. Member would look into the question as it stood, he would find that the improvement in the naval service had kept pace with that in the civil and other departments of the State. He found from a return which had been made the other day by his direction, that in 1839, when there were 34,000 men in our naval service, there had been 2,000 punishments; but that in 1845, when the establishment consisted of 40,000, there had been only 1,200 causes of punishment. He was prepared to state that the greatest disposition existed at the Board of Admiralty to check the system of arbitrary punishment, and that it equally prevailed among the admirals of the various stations. He had seen instructions which had been recently issued by Admiral Parker in the Mediterranean, showing the strongest inclination on his part in the same direction; and he could state that there was every intention at the Board of Admiralty to regard excessive punishments on board of any ship as discreditable to the officers in command. In the principle laid down by the hon. Member for Coventry, as to any ill-judged parsimony in our naval service, he entirely agreed. There would be large sums necessarily required for various experiments in this department; and he was sure the hon. Member would offer no opposition to their progress from any feeling of false economy. A return of punishments in ships for any one year must be fallacious, for it was evident that an officer taking command of a crew collected at haphazard, might be obliged to use frequent punishments in the course of the first year, to bring them into proper discipline, which would be altogether unnecessary on subsequent occasions. In conclusion, he could only repeat, that the feeling of the board was to regard excessive punishments on Board any vessel as discreditable to the officer in command.

Mr. HUME wished to ask if there was any intention of proposing the reconsideration of the articles of war. He had frequently brought the question before the House; and on the last occasion the articles had been condemned by every one in the House, including the naval officers. They ought to do everything in their power to draw our men from abroad to enter their own service; and though there had been, as he admitted, an enormous amelioration in the condition of the navy of late years, yet he hoped the Admiralty would see how much further they could go, and how far they could modify the system in accordance with the spirit of the age. He thought there ought to be returns of the punishments of the various ships in the service. In some they would find that one-half or perhaps three-fourths of the crew had been flogged, while in another they would see that not one had been subjected to such punishment. Surely this ought to be remedied. No service could be better taken care of than our navy, as regarded diet, clothing, and cleanliness. It was evident, then, there must be some cause to keep the men away from it. He thought a court-martial of three officers would be an improvement on the present system of arbitrary punishment, and might produce similar good effects to the allowance of a certain time before punishment was inflicted, which had been made in consequence of speeches in that House. He wished the returns of punishments would be laid before the House; and he would venture to say if they were made, that nine out of ten of these martinets would be found not to be their best naval officers. If there were but a few officers who followed this system, let them at least be known to the public.

Sir G. COCKBURN said, that as no hon. Member connected with the Admiralty had got up to answer the question and remarks of the hon. Member who had just spoken, he felt it his duty to do so. When the hon. Member for Coventry said there was no law for the infliction of summary punishment, he was mistaken. There was a decision of Lord Stowell on this point, in the case of a merchantman,

in which the learned judge laid it down that the captain had such powers.

MR. WILLIAMS explained that he had not said there was no law on the subject, as he knew that the Act of George II. gave full power to the Admiralty to make certain regulations to which the force of law was thereby given.

SIR G. COCKBURN: Lord Stowell had declared the power ought to be given to the captain of a merchantman, as it was necessary for the safety of his ship; and surely there was no one in that House or out of it who would not wish to see the captain of a man of war possessed of at least equal authority. In extreme cases the discretionary punishment was at present limited to forty-eight lashes; and in the instance in which Lord Stowell gave judgment, the captain gave thirty-six lashes, after a long confinement. He would read a recent minute issued by the Board of Admiralty, which would be a sufficient guarantee that no great punishment could be inflicted without proper responsibility. The hon. and gallant Member read the document, which contained a great number of restrictive regulations prescribing the particulars to be observed in the returns of the causes of the punishment so inflicted, and the evidence on which it had been adjudged. With respect to the suggestion of the hon. Member for Montrose, he could tell him that there would be a great increase of punishments if it were acted upon, and naval courts-martial appointed in all cases that seemed to inquire its infliction. He believed it was the wish of every captain to do his best to prevent punishments in his own ship, and that they often checked the complaints of their officers when displeased with their men. The sailor lookod up to the captain as his father and protector, and regarded him as his best friend. He was very happy to hear from the hon. Member that our men were going into the merchant service, for he knew from experience that they would soon be glad to return to the navy, and not to leave it in a hurry. When there seemed a probability of war with America some time ago, the English sailors on board the American vessels all left them—more particularly in the case of the *Chesapeake*, when 200 or 300 men immediately quitted her and came over to England. It had been admitted much had been done by the late Admiralty to improve the service, and he hoped that the same spirit would be exercised by their successors.

SIR C. NAPIER was prepared to go with the hon. Member for Coventry as far as his remarks respecting the difficulty of getting men for our ships were concerned. He knew ships to have lain at Spithead from one to eight months before they could get men, and would venture to say that if we wanted to man a few ships of the line at present, we should have to wait five or six months before we could do so. The men in the merchant service had a greater horror of the navy than ever they had, and it was absolutely necessary to take some steps to do away with it. As to the articles of war, he quite agreed with the hon. Member for Montrose. They were the most absurd, ridiculous, and bloody articles that ever belonged to any service in any country, and he hoped the Admiralty would take them under their consideration.

ADMIRAL DUNDAS said he had only been one week a Lord of the Admiralty, but he could venture to assert that it would be impossible to carry on the business of the navy without the power of summary punishment. He thought, however, it would be their most prominent duty to consider the question, and promised it should receive every attention from the Board to which he belonged.

CAPTAIN PECHELL hoped the Admiralty would scrutinise the various quarterly reports of the captains in commission, and reward their services with an eye to the proportion of punishments on board their several ships. A great improvement had taken place in the discipline of the service, in consequence of the observations in that House. He hoped that improvement would be continued, and that they would no longer see men punished on the spot. He deprecated the idea of appointing courts-martial for the punishment of petty offences. Half the men in the ship might be under confinement at the same time, and the places to which they would be consigned were of the most disagreeable character.

MR. TRELAWNY said, he could not understand why there should be a difference in the discipline of the army and navy in this particular, and that the right of trial by court-martial allowed in the former should not be permitted in the navy. It appeared to him that the reason why corporal punishment was so necessary in the navy was in the fact of the men being paid too low. He thought that they should get rid of the system of pressing men into the service, and place them un-

der sufficient pay, before they could have the men contented with their lot. He would like to know whether the discipline of the navy in France was worse than in this country. If he were well informed there was no flogging in the French navy, no more than in their army; and yet he believed their discipline was remarkably good. He trusted the Ministry would at once mitigate the existing system of punishment in the British service.

VISCOUNT INGESTRE said, he could not compliment the hon. Gentleman on the temper in which he had brought forward his Motion. He denied that there was any class of Her Majesty's subjects more contented than those who had the honour of serving in the navy. Unless the power of apportioning punishment rested with the commanding officers of ships, great difficulty and inconvenience would arise in maintaining discipline; and he believed, that if the power of awarding corporal punishment were done away with, there would be great danger of the discipline of the navy being subverted. He recollected an instance that came within his own knowledge of a vessel in which flogging was not practised, when all the well-conducted hands on board requested that the punishment might be inflicted on those who deserved it.

TRANSPORTATION TO VAN DIEMEN'S LAND.

Order of the Day read. On the Question that the Speaker do leave the chair,

MR. EWART brought forward the Motion of which he had given notice, that he would, on going into Committee of Supply, move that—

"It is expedient that the practice of making Van Diemen's Land a general receptacle for Convicts should cease."

It was his opinion that transportation should be discontinued as a punishment, and be maintained only as a supplement to the previous punishment of imprisonment. He had at the commencement of the Session presented a petition from a number of the free settlers in Van Diemen's Land, praying that transportation to that Colony might be put an end to; but, owing to the difficulties which always lay in the way of a private Member of the House, he had been unable to bring the subject formally before the House, as he had intended, until the present occasion. In 1830, the free population in Van Diemen's Land was as three to one in proportion to the convicts; but at present the latter numbered 34,000, while the free Colonists were under 30,000. In consequence of this enormous amount of vicious and immoral persons, families felt themselves not safe either in or out of doors, and the amount of crime and immorality in the Colony was most painful to contemplate. He had a letter in his hand which he had received from a Missionary settled there, describing in the strongest terms his horror at the condition of the country; but he would not delay the House by reading it at length. He had also the testimony of the Lieutenant Governor of the island to the same effect, as even he admitted that such was the amount of criminals in the country, that it was almost impossible to employ them. But it might be asked, what course would he adopt in lieu of the present system? It appeared to him, that there was a course which might advantageously be taken, namely, imprisonment until the parties were reformed, and transportation afterwards. He understood that an attempt of this kind that had been tried in a part of Australia near Port Philip had been attended with complete success. A number of criminals had been sent out there after being reformed at Parkhurst Prison, and they had since made for themselves new characters, and were now doing exceedingly well. The system of the noble Lord the late Secretary for the Colonies was the very reverse of this. He had concentrated in Van Diemen's Land such a number of criminals as most materially to injure the character of the Colony. There was an amount of turpitude and crime now prevalent in the Colony that was quite inconceivable, and which could not be thought on without the greatest pain. The question of transportation had been referred in France to the Judges, and they came to the conclusion that it might be adopted as a supplement to imprisonment; and in an admirable treatise recently published on the subject in that country, the view which he now put forward was advocated. He had intended to enter at considerable length into this subject; but he would not now do so in consequence of the lateness of the Session, and the recent change in the Government. He ardently hoped that the attention of Her Majesty's Ministers would be directed to this question, which might so well be called not only moral and political, but religious. The Government could not be expected to have formed any plan on the subject as yet; but he trusted

they would attend to it, and effect a real reform of this most unparalleled system of colonial policy. He would leave this question with confidence in the hands of his right hon. Friend the Secretary of State for the Home Department.

SIR G. GREY said, he was sure the House would not expect him to enter at any length into this very important subject at present. He gave his hon. and learned Friend credit for the manner in which he had brought the question before the House; and he would assure him most fully that the subject was one which was engaging the serious and earnest consideration of Her Majesty's Government. He was afraid that it was impossible to allege that his hon. and learned Friend's statement of the condition of Van Diemen's Land was at all exaggerated. As he had stated on a former evening, the question had occupied the attention of the late Government; and they had resolved to suspend transportation to Van Diemen's Land for a period of eighteen months; and the manner in which the convicts were to be disposed of in the interim, was now under consideration. The second Resolution of the hon. Gentleman embraced a still wider field for inquiry; and he believed his hon. Friend scarcely expected that he should now, on the part of Her Majesty's Government, express any opinion upon it. In theory, he perfectly agreed with the views expressed and embodied in that Resolution; but his hon. Friend was, no doubt, aware that the question of secondary punishment was one of the most important that could engage the attention of any Government. It was one that Her Majesty's Government were fully alive to, and to which their most serious attention should be given. He hoped his hon. Friend would be satisfied with this explanation, which was all he found himself in a position to give.

MR. G. W. HOPE said, he had to complain that the hon. Gentleman, in bringing forward his Motion, should have thought it necessary to single out the noble Lord under whom he had served for attack. The hon. Gentleman should have recollected that his charge was met by his own statement. The present system was commenced in Van Diemen's Land in 1839, long before his noble Friend had come into office. It had been adopted in consequence of a Committee of that House having reported against transportation to New South Wales. The whole tide of transportation had been thus directed to Van Diemen's Land; and, with defective arrangements, the result was certainly by no means successful. His noble Friend, on coming into office, found the whole tide of transportation turned to that Colony. What was called the probation system had been introduced under the noble Lord the Member for the city of London. His noble Friend did not establish that system, but he had done his utmost to improve it by adding religious instruction and issuing additional orders as to classification. His right hon. Friend near him (Sir James Graham) had, after the noble Lord left office, altogether put an end to transportation to Van Diemen's Land. He had not such strong hopes as the hon. Gentleman of the success of reforming prisoners. Some of these reformed convicts who had been sent to Hobart Town, as soon as they learned that they were free became utterly unmanageable.

Motion by leave withdrawn.

Question again put.

THE NAVY.

SIR C. NAPIER said, that before the House went into Committee of Supply, he was desirous of offering a few observations upon the subject of a vote which appeared in the Estimates. He saw a vote for shipbuilding and repairing ships, 1,273,789*l.*, and large as the sum was, he did not object to its amount, but to its application. Since 1843 there had been two ships of the line, six frigates, five brigs, fourteen steamers, and we had on the stocks no less than six 92-gun ships, four or five 80-gun ships, three 50-gun frigates, and four or five 26-gun frigates, with an immense number of smaller vessels. Now, he would ask of what use it was, when we had such an immense fleet as we already had, to go on still constructing more ships to such an extent, and at such an expense to the country? It was quite impossible that we could man half of them if it were necessary for us to get afloat a large navy to-morrow. If, therefore, the Government wanted to increase the naval power of the country, the way to do it was to increase the number of good seamen, for it would be as well to talk of an army when we had a great number of barracks and forts, as to talk of a navy because we had a great number of ships. They ought, therefore, instead of directing all their attention to this vast increase in the number of ships, to direct their attention to obtaining the supply of good seamen to man their ships.

There were six old 74-gun ships which the late Board of Admiralty ordered to be fitted as block-ships; they were to have 40 guns each, to be fitted up with screws, and to carry three or four days coal each; but to remain in harbour as block-ships. Suppose that plan succeeded, of what use would those block-ships be? What advantage would they possess over any other old ships towed by steamers? And for this alteration of those ships a sum of 18,000*l.* was to be voted as the estimated expense, although he believed that one of those ships would require an expenditure of the sum which had been put down for the whole of them. Then, with respect to steam frigates, the *Avenger* and the *Retribution* were fitted up with paddle-box boats; but when they were fully equipped the constructors said they were not fit to carry paddle-box boats, and the boats were accordingly removed, and the paddle-boxes covered as in a common steamer; so that if troops were sent abroad in time of war by those vessels, there would be no mode of landing them but by borrowing the boats of men of war, as had been done in Syria. He trusted that the new Board of Admiralty would pay attention to these subjects, and above all things that they would take means to man the navy fully and efficiently. Another important subject was the state of our harbours. The French had taken great care in that respect. The harbour of St. Maloes was capable of containing 100 sail of man-of-war steamers, while Cherbourg would contain the combined fleets of France and England. That port had two basins, one of which could enable fifty-five sail of the line to come up to the quays, and another which would contain seventy sail of line. Thus that harbour was so situated that soldiers could be sent down at the shortest notice by railways, and sent to sea without delay for any hostile purpose. With respect to the manning of our navy, it would be remembered that in 1841 the French fitted out a fleet of twenty ships, and sent it to the Mediterranean; and we could at that time only fit up seventeen sail, and had two ships waiting eleven months before they could complete their amount of men. The importance of this subject would be seen by hon. Members, when he stated that if we had occasion to commission four or five new ships of the line now, we could not man them in anything like proper time. He made these *exposés* with a view to direct the attention of the proper authorities in these matters to a class of abuses which, for the honour of the country and the service, it was most desirable should be remedied. There was another subject, in reference to which he was anxious to say a single word—he alluded to the contracts. On looking over a statement of the various contracts for timber made by the Board of Admiralty, he found that more than one-half of them were privately made. Now, he should be glad to know on what plea the practice of having private contracts was to be defended. He trusted that those who had now succeeded to posts of authority in the Admiralty would look to this matter, and avoid the very objectionable course of proceeding in this respect adopted by their predecessors. There was another subject he was anxious to refer to which was one of very considerable importance; he alluded to the necessity for adopting a more efficient plan for manning the British navy than that which at present prevailed. He cheerfully admitted that the late Board of Admiralty exerted themselves very laudably last year, with a view to better the condition of the British seaman, and they had succeeded in their efforts; for he was unquestionably better fed and taken better care of than in former years; but they were certainly bound in duty to direct their attention most seriously, and on the earliest possible occasion, to the manning of the British navy. Mr. Sidney Herbert was the only Gentleman connected with the Admiralty who had ever thought it necessary to devote any attention to this subject. It was his right hon. Friend the Member for Dorchester who had been the first to introduce a Bill for the registration of seamen. It was strenuously opposed by the merchants; and Lord Althorp had expressed an opinion to the effect that it would be impossible to enact any such measure; but the hon. Member for Dorchester persevered in pressing it. It passed the other House; and was the groundwork of the Bill which was in force at the present moment. Some improvements and modifications, however, were essentially necessary to be introduced into the Registration Bill and the Enlistment Bill as well, in order to render the measure as beneficial as was desirable. The men were now registered; and if the masters of merchant ships would only do their duty, and carry the provisions of the Bill vigorously out, the results would be most beneficial. Certain emendations, however, were indis-

pensably essential to the well-working of this measure, as well as of the Enlistment Bill; and with reference to the plan of manning of the navy, he might say he was a decided advocate for the system of calling out the men by classes, so that every man who served his apprenticeship in a merchant ship might have an opportunity, when out of his time, of serving for some period in the royal navy. He had received a letter from Seaman's Hall, South Shields, in which it was stated that the experienced seamen there who had served their apprenticeship were strongly in favour of this system, and thought that the young seamen, when out of their time, ought certainly to serve for a stated period in the navy. There was another matter to which he was particularly desirous of calling the attention of the Board of Admiralty—he alluded to the necessity of establishing sailors' homes in as many ports as possible. There was a sailors' home in London, which would well repay the trouble of a visit. It was an admirably conducted establishment, where the men were comfortably lodged, and in every respect well treated, and where there was abundant evidence of the great advantage which such institutions were calculated to confer upon the seaman. It was a thing very much to be lamented that, notwithstanding the promises of the late Board of Admiralty, there was no sailors' home as yet in Portsmouth. In that place the old and most objectionable system still prevailed; and the sailor, on arriving in port, found himself at the mercy of crimps, who robbed him unmercifully, so that his money was gone in a few days. He was happy to say that a sailors' home was in process of erection in Liverpool; and he last year laid the foundation of a similar institution in Glasgow; but nothing would encourage such establishments so much as that the Board of Admiralty should take the institution of them under their special superintendence. He trusted that the present Board of Admiralty would take this in hand; and that the day was not far distant when institutions of this kind would be established in Portsmouth and Plymouth, where the money, clothes, bedding, health, and morals of the seamen would be secure. The last and indeed the most important matter that he was anxious to press upon the attention of those who now presided at the Admiralty, was the absolute necessity of putting somebody who had been himself in the navy at the head of the naval construction departments. If this recommendation were not attended to, it would be in vain to hope to see the ships of the British navy built properly, and in a manner becoming the character of the service. It was really impossible to exaggerate the importance of this suggestion. The present system was in this respect scandalously defective; and the Senior Lord of the Admiralty had the whole practical business of the navy entrusted to his superintendence; and he defied him, were he ever so young, talented, or vigorous, to prevent that defective system of naval architecture, which naval officers so much deplored. Ever since he had been in the navy, he had observed the same fault committed; and unless they adopted his recommendation, and appointed some competent person, who, from practical experience, understood the matter, to superintend the construction of the ships, they would go on in the same objectionable course, spending the public money, and yet not having an efficient navy. Having thanked the House for the attention with which they had listened to him, the hon. and gallant Member concluded by expressing a hope that those who had now succeeded to the Board of Admiralty would see the propriety of taking the matters to which he had thus called their attention into their immediate and serious consideration.

MR. WARD would be prepared on a future occasion to make a statement in reply to the observations made by the hon. and gallant Member; but considering the state to which the Admiralty were reduced just at present for funds, it was to be hoped that the hon. and gallant Member would not offer any objection to the House now going into Committee, and agreeing to one or two Votes at all events on account. The fact was, they required money to go on, and could make no progress without it. There was one question, however, which had been put by the hon. and learned Member, and to which he was prepared at once to make a reply. He alluded to the inquiry with reference to a plan of retirement. This was a matter which had engaged the serious attention of the late Board of Admiralty. They had bequeathed to their successors a plan of retirement, on which the late Board were agreed, with the exception of Lord Ellenborough. The noble Lord now at the head of that department approved unreservedly of the general principles of this plan, and only waited for the

meeting of the Board to adopt preliminary measures with a view to carry it into effect.

MR. HUME was anxious, before the House went into Committee, to say how desirable he thought it was that some regulations should be made for the future, of such a nature as would tend to stop the constant scenes of crimination and recrimination which were always sure to take place whenever the Navy Estimates were under discussion. It appeared to him that it was most injudicious and improper to cry down our navy throughout the world in this extraordinary manner. Any one who had listened to the hon. Member would suppose that there was no country in the world which had so bad and so inefficient a navy.

ADMIRAL BOWLES declared there was nothing whatever in the condition of the navy to create any pain or alarm to the House or the country; and if the hon. and gallant Member (Sir C. Napier) would at any time bring forward a specific charge or censure, he would undertake to meet it.

House in Committee of Supply.

Two Votes were agreed to.

House resumed. Committee to sit again.

The House adjourned at a quarter to Two o'clock.

HOUSE OF LORDS,

Tuesday, July 21, 1846.

MINUTES.] PUBLIC BILLS.—2ª. Battersea Park; Coal Whippers (Port of London).

Reported. Saint Asaph and Bangor and Manchester Dioceses.

PETITIONS PRESENTED. From Taunton, and its Neighbourhood, for the Abolition of the Punishment of Death. —From General Convention of the Royal Burghs of Scotland, and from a great number of other places, praying that a Bill may be passed compensating Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).

SITES FOR BUILDING CHURCHES IN SCOTLAND.

The MARQUESS of BREADALBANE presented certain petitions complaining of the refusal of sites for building Free Churches in Scotland. The noble Marquess proceeded to say, that the number of petitions he had presented upon this subject amounted to 296, which had been signed by 39,781 persons. The general prayer of these petitions was that—

"Whereas many congregations of professing Christians are now prevented from building churches by the refusal of the proprietors of land to grant sites in any suitable places, or on any terms for that purpose; may it therefore please your honourable House to devise means for enabling such congregations to rent or purchase ground on reasonable conditions for the erection of buildings for the worship of God, and to pass a Bill for compensating proprietors, and securing accommodation to congregations in such circumstances, or otherwise to do in the matter as to your wisdom may seem right."

Their Lordships would have seen that there was a pretty general feeling and anxiety prevailing in Scotland upon this subject; and would, he hoped, agree with him that, however desirable it might be to support the Established Church in that country, now that a great body of the people of Scotland had seceded from that Church, no hindrance should be given to the free power of exercising their religious worship according to their own particular principles and tenets. It appeared to him, that the rights of property should be exercised consistently with the principles of the Constitution; and that proprietors could not be justified in acting in opposition to those principles. He did not question the motives of the proprietors who refused sites; they might think they were justified, as members of the Established Church, in endeavouring thus to strengthen that church; but did their Lordships think that any one creature was justified, by the accidental possession of influence, in endeavouring to restrain the religious opinions of his fellow men by such means? Grant this principle, and they opened the door to persecution. Was it not the paramount duty of the landed proprietors to knit together, as far as they could, all classes of Her Majesty's subjects; and could it be, by refusing the means and opportunities of religious worship, that they were endeavouring to effect that great object? He would ask their Lordships whether such conduct was not calculated to create great discontent and dissatisfaction on the part of persons thus (he would not say persecuted, although it almost amounted to that), prevented from exercising their religious worship; and whether it was not calculated to alienate the affections of those conscientious seceders from the Establishment? He would remind them of a great and noble saying of a most excellent man, who held high office in the sister country, that in the possession of property there were great obligations incurred as well as rights to be enjoyed, and no man fulfilled his duty as a proprietor unless he observed those obligations to the letter. Such proceedings were, in short, an endeavour to establish a mental slavery more degrading than that of the body, and

which might lead to consequences still more serious. As a matter of policy, the subject was worthy of consideration. The Free Church was now a strong and vigorous body, calculated to promote the religious and moral improvement of the people; and it should be the policy of the Legislature, and of the Government, and of the landed proprietors in Scotland, rather to encourage than to discourage it. The noble Marquess then read a statement of facts respecting the Free Church of Scotland, showing that the number of congregations was 816; of ministers, 662; and of communicants, upwards of 200,000; that the number of churches already erected was 600; of manses built, or authorized to be built, 171; that funds had been subscribed for the erection of a college, besides schools; that a total sum had been subscribed to the funds of the Free Church since the disruption of 1,140,000*l.*, all of which, except 150,000*l.*, had been paid up. Their Lordships were, perhaps, aware that a right hon. Friend of his had introduced a Bill into the other House of Parliament to remedy the evils of which these petitioners complained. That Bill he thought defective, as it gave too large a discretionary power; and it might have been improved by making it more general. It merely granted sites to religious bodies of the Christian persuasion, whereas he thought it should comprehend all religions whatever. It also confined the application to Scotland; but he thought it should be general throughout the country, for the evil existed in this country to a considerable extent. It would be most satisfactory to the people of Scotland if his noble Friend, who was the organ of the Government, were to declare his regret, on the part of Government, that any portion of the inhabitants of Scotland should be thus hindered in the free exercise of their worship according to their own forms. He trusted that their Lordships would take into consideration the case of the petitioners, and would be able to provide some means of remedying the great evil and grievance of which they now complained.

The MARQUESS of LANSDOWNE said, that although he had not the least objection to the reception of the petitions, he was not prepared to say that he thought any Parliamentary means could at present be devised by which the petitioners and others could be enabled to acquire a right to erect churches wheresoever they thought proper, independent of the will of the proprietors of the land. At the same time, he would express a hope that there might be no necessity for any such interference. He trusted, that upon a full consideration of the circumstances, and after what the landed proprietors must have observed of the growing importance of the numerous body from whom these petitions emanated, there would be a disposition on the part of all, but more especially on the part of those great landowners on whom so much depended, to give that reasonable degree of accommodation which they were entitled to ask for the purpose of public worship in conformity with their own creed and opinions. It was very natural that at the period when the disruption first took place, there should have been very great hesitation to give to the seceders the opportunity of establishing their church; but from the moment it became clear that a large proportion of the population had formally adopted, and were disposed to adhere to, the new principles, there could not be any rational objection on the part of landowners to afford every proper facility. He certainly believed that the unwillingness which had originally existed was every day diminishing; and he hoped that it would diminish to such a degree as to bring about mutual goodwill, and the satisfaction of the claims of those petitioners, without placing Parliament under the necessity of adopting the remedy referred to.

The DUKE of BUCCLEUCH thought that the noble Marquess had fallen into a mistake as to the state of the case. It would appear, from the statement of his noble Friend, that harshness and tyranny had been displayed by the landed proprietors of Scotland towards the professors of the principles of the new church; but the fact was, that they enjoyed equally with other Dissenters such facilities as it was in the power of landowners to afford in obtaining sites and accommodation for building their churches. The petitioners demanded these sites; but, was it to be said, whether a proprietor liked it or not, that they might seize hold of that site, though not without compensation, which might be most convenient for them, without any reference to the convenience of the owner of the land? That was what was asked. Whatever was said to the contrary, the hostility to the Established Church had not at first even been attempted to be concealed: prudence and discretion had now somewhat moderated their tone; but until it was moderated very great good could

not be expected from those who had been so frequently attacked. He need not go very far back for proofs of the hostility of which he spoke; he had only to refer to the files of their own organs—their own newspapers, which were filled with diatribes against the Established Church and its members; and it was not very long since one of the Free Church preachers had openly declared that the Church of Scotland was a great moral nuisance—one which ought to be swept away from the face of the earth. He (the Duke of Buccleuch) did not deny that he had refused many applications for sites; and his reason for so doing was, that he had considered the applications unreasonable. What he complained of was that persons having no earthly connexion with the parish, or even with the district, came on to his estates, exciting the people, raising up for them imaginary grievances, and thus encouraging and inciting ill-feeling against the landlord. Religious distinctions were made the means of severing the interests of employers and employed; and when he found regular relays of ministers of this class of Dissenters coming down to preach doctrines and principles of which such was the effect, when he found them accompanied or followed by laymen from a distance, whose object it was to keep alive the "spirit," as they called it, he could not but desire their removal and their absence. He protested against any interference on the part of any man or any body of men between himself and his tenants and labourers; it was a question between himself and them, and not between him and strangers, who knew nothing of the parish, and who were only there to foment bad feeling. He entertained the same hope expressed by the noble Marquess, that there would be found no difficulty in arranging matters; but the facility could not be increased so long as he (the Duke of Buccleuch) was made the object of attack, and held up to ridicule and execration from the pulpit. [The Marquess of BREADALBANE: That was denied.] It was only denied in part, and the fact was, he thought, as he had stated. The demand which was now made for legislative means to enable them to take sites wherever they pleased, was, in his opinion, most unjust. It was a demand which would never be tolerated in any country or for any sect. Were such a demand made, even for the Established Church, it would be repudiated and treated with scorn in either House of Parliament; and he, for his part could not see that this body in particular of Dissenters were entitled to ask for powers which could only be deemed unconstitutional.

The MARQUESS of BREADALBANE would ask the noble Duke if, on a part of his property, the members of the Free Church had not met for worship on a moor; if the noble Duke had not taken legal means to drive them away; whether they did not, at length, take refuge in the public roads; and, whether the Lord's Supper was not about to be administered on a cross-road, when the noble Duke, greatly to his credit—sensible of the inappropriateness of the place—interfered, and allowed them a tent to worship in? Why, knowing these facts, the conduct of landed proprietors amounted almost, if not entirely, to persecution. The possessions of the noble Duke were so vast, that unless he consented to give sites, the Free Church would be unable to obtain sites at all. In the parish of Canobie the noble Duke had offered, instead of what was asked, a site which, if accepted would compel the members of the Free Church to go a distance of five miles to worship; and he (the Marquess of Breadalbane) would ask their Lordships, was that reasonable or just? On the western coast of Scotland, sites for churches had been obstinately refused, and the inhabitants had at length built and launched an iron church, which was now anchored in one of the bays of the coast. What was this? It was nothing but persecution, for it was a direct interference with the free exercise of religious worship by men who entertained their opinions conscientiously, and whose only fault it was that those opinions were not identical with those of the proprietors of land. Those proprietors had no moral right whatever to exert their influence in such a manner.

The DUKE of BUCCLEUCH said, that it was perfectly true he had refused to grant sites for the Free Church in the parishes of Canobie and Sanquhar; and he could not see why, in those parishes, the Free Church people could not be contented with the terms offered to and accepted by other Dissenters. The real truth of the matter in one of those parishes was, that the minister of the place had been particularly unpopular, and as it was understood he was going to remain in the Established Church the people seceded, but, to their great horror, he followed them.

Petition read, and ordered to lie on the Table.

THE INSURRECTION IN GALLICIA—PRINCE CZARTORYSKI.

LORD BROUGHAM, after giving notice that, on Friday next, he would submit a resolution to their Lordships against the adoption of any measures which, directly or indirectly, were calculated to encourage the African Slave Trade, said, he would take that opportunity of asking a question of the noble Marquess with respect to the proceedings in Gallicia, and the confiscacations in that province of the estates of the nobles. He had great hopes, he might say sanguine expectations, that, as regarded one of these confiscations—of the property of his very old and very dear friend, Prince Czartoryski—the accounts which he had heard would prove to be in the result untrue. He would appeal to the justice and generosity of a just and, generally speaking, humane Government, and to the disposition always found in the Austrian Government not actively to enforce intolerance, for the defence of the Prince; and in his case he (Lord Brougham) hoped there would be no exception to the general mildness of their rule. The ground taken was on the address of Prince Czartoryski to his countrymen in Paris; but which was no ground at all, for the Prince used only those words and those expressions which, in his situation and under the circumstances, he had used, and was justified in using, for years past. He had said that he felt sorrow for the fall of Poland, and gave voice to a hope that a few years would witness the restoration of its independence. He could not, in the position which he filled among his countrymen, have addressed them in any other language; he could not have returned a sharp answer; and there could be no doubt that at the time he so spoke he disapproved as entirely as he (Lord Brougham) disapproved of that insane and inexcusable attempt which had recently been made by the Poles to shake the Austrian Government. There was in this country a great degree of sympathy for the Prince; and it would be very satisfactory if the noble Marquess now, or on a future day, could inform their Lordships as to the truth of what had been stated.

The MARQUESS of LANSDOWNE concurred in all the sentiments and feelings which his noble and learned Friend had expressed with that forbearance and delicacy which an allusion to such a subject required; and he concurred most especially in what had been said relative to the fortunes of one of the first families in Europe—elevated not less by rank than it was illustrious for virtues which had been displayed alike in prosperity and in adversity. So much he felt bound to say; but with respect to the question as to what information might be in the possession of Her Majesty's Government on this subject, he would, before giving a reply, beg leave to communicate with his noble Friend the Secretary for Foreign Affairs.

House adjourned.

HOUSE OF COMMONS,

Wednesday, July 22, 1846.

MINUTES.] NEW WRITS. For Dundalk, *v.* Thomas Nicholas Redington, Esq., Under Secretary to the Lord Lieutenant of Ireland.

NEW MEMBERS SWORN. For Yorkshire (West Riding), Viscount Morpeth.—For Leith, &c., Andrew Rutherfurd, Esq.

PUBLIC BILLS.—1° Sugar Duties.

Reported. Art Unions; Commons Inclosure (No. 2).

PETITIONS PRESENTED. By Mr. George Hamilton, from Members of the Bath Church of England Lay Association, for Increasing the Number of Bishops.—From Mayor and Commonalty and Citizens of the City of London, Governors of the Possessions, Revenues, and Goods of the Hospitals of Edward late King of England the Sixth, of Christ, Bridewell, and Saint Thomas the Apostle, against the Charitable Trusts Bill.—By Viscount Sandon, from Merchants, Bankers, Brokers, Shipowners, and other Inhabitants of the Borough of Liverpool, for Equalization of the Duties on Sugar.—By Mr. Wyse, from a great number of places, in favour of the Art Unions Bill.—By Sir William Clay, from James Hedgman, William Sowter, and James Esdaile, Proprietors of Public Baths in the Metropolis, and by Mr. Thomas Duncombe, from Joshua and Thomas Watts, of Peerless Pool, City Road, London, against the Baths and Washhouses Bill.—By Sir De Lacy Evans, from Rector, Churchwardens, Overseers of the Poor, and Ratepayers of the Parish of Saint Clement Danes, in Vestry assembled, in favour of the Baths and Washhouses Bill.—From Mayor, Aldermen, and Burgesses of the Borough of Liverpool, against the Deodands Abolition (No. 2) Bill.

CHARITABLE TRUSTS BILL.

On the Motion that the House go into Committee on the Charitable Trusts Bill,

SIR G. GREY suggested to the hon. Member for Montrose the propriety of withdrawing the Bill. Last week the House affirmed by the second reading the principle of the measure, which principle was the accountability of persons holding charitable trusts to Parliament, through the Secretary of State for the Home Department. Since the second reading he had received a great number of communications from persons interested in the matter, not offering any objection to the principle of the accountability (on the contrary, they fully approved of it), but urging additions that had not been contem-

plated by the hon. Member for Montrose, and making various suggestions of great weight and importance, which demanded and ought to receive the most serious consideration. The Government desired to devote their best attention to the matter; and his noble and learned Friend the Lord Chancellor would soon have under his consideration another measure, affirming the principle of the Bill introduced by the hon. Member for Montrose, but more general in its import, and much more comprehensive in its details. The principle of the Bill at present under consideration having been deliberately recognised by the House, he trusted that his hon. Friend, taking into consideration the lateness of the Session and all the other circumstances of the case, would be induced to withdraw the Bill for the present, or at leat postpone it on the understanding that a measure similar in object, but more comprehensive in detail, would be brought forward by Government at an earlier period next Session.

Mr. HUME, since last week, had received several communications on the subject of the Bill, all showing the necessity of the measure, but all requiring more to be done than he had contemplated. The only object that he had been desirous of effecting was, that a balance-sheet, showing the revenue and expenditure on account of these charitable trusts, should be laid before Parliament, thereby affording to that House and the public generally the means of obtaining that information for which they had for many years looked in vain. This was his object; but if it could be satisfactorily proved that it was desirable that more than this should be effected, he would willingly assent, and admit that it would be much more satisfactory to him that Government should take the matter into their own hands and bring forward next Session an extensive measure to meet all the views of the case. If Government would pledge itself to introduce next Session a comprehensive enactment of this description, he would willingly accede to the suggestion of the right hon. Baronet. Under all the circumstances of the case, he would at once consent to postpone the Bill until next Wednesday, and if on that day distinct assurance was given of the Government's intention to bring in a comprehensive measure next Session, he would withdraw the Bill altogether.

Order of the Day read *pro formâ*, and Mr. Hume postponed until Wednesday next his Motion for going into Committee on the Bill.

LANDS AND COMPANIES CLAUSES CONSOLIDATION BILL.

On the Motion for the Second Reading of this Bill,

Mr. M. GIBSON said, he would take the liberty of suggesting that it would not be wise to commit the House of Commons to the principle of this measure under existing circumstances. A Committee had been appointed, of which the hon. Member for Inverness was chairman, and they had directed their attention to railway matters; therefore until the House was in possession of the evidence taken before that Committee, and the Committee had made a report to the House, it would, he thought, be premature in the House to commit itself to the principle of this Bill. If the hon. Gentleman who had charge of it would consent to a postponement, it would not be necessary to go into the merits. Persons who were well acquainted with the subject had come to a conclusion that it was a measure which should not be allowed to pass under any circumstances. It contained difficult questions, and several provisions which many railway companies would not be able to comply with, not having contemplated such matters when they obtained their Acts of Parliament. The object of the hon. Member was, he believed, by the application of forcing powers to extinguish companies of an inferior description, but not to allow parties to escape from their engagements. He did not know whether hon. Gentlemen were aware of the precise objects of his hon. Friend, who wished, by limiting the time within which capital should be paid up, and limiting also the time within which the registration of shareholders should take place, to force companies to make their calls, and register their shareholders, and thus extinguish those companies which were not strong enough to bear his forcing process. Under all these circumstances he hoped the House would pause before they agreed to the second reading of this measure. If the hon. Member pressed his Motion, he must, as an amendment, move the previous question.

Mr. HASTIE said, his object was to prevent gambling, and if this Bill were allowed to pass he believed it would do much good by opening the market to real *bonâ fide* undertakings. To show the necessity of compelling companies to complete regis-

tration, he would mention three of the schemes which kept scrip hanging over the market to a very large extent. A Bill had passed the House for making a railway from London to York. That company had issued scrip to the amount of five millions and a half. The Direct Northern Company, which proposed to go the same way, had issued scrip to the amount of five millions; and the Eastern Counties Company had a scheme for going the same way, upon which they had issued four millions of scrip, all of which was kept floating in and greatly disturbing the money market.

MR. HAYTER observed, that the House seemed to suppose that the Bill related solely to railway companies; now, it referred equally to joint-stock companies. [MR. HASTIE: That objection might be obviated in Committee.] He took the Bill as he found it; and he perceived that it required all the capital to be subscribed within two months, and perfect registration to take place within three months; and if the Bill were to pass, and those regulations were not complied with, the result would be, that any Railway Act, belonging to any company that could be convicted of non-compliance with the provisions of this Bill, would cease to be law. Any shareholder would thus be invested with the power of repealing the Act. He objected to such a power as dangerous and unconstitutional. The Bill proceeded on the assumption that the shareholders were the only parties interested in a given railway; but it should be remembered that the public also were interested; and he objected to the Bill on this further ground, that it had the effect of *ex post facto* legislation.

MR. HUDSON differed from the hon. Member who last spoke. He was not prepared to say that the Bill in its present shape was the best possible measure; but he thought that in Committee they might so amend it as to obviate any reasonable objection. He thought that they ought to consider the Bill; for it was the duty of Parliament to apply some remedy to the great evils which prevailed.

Bill withdrawn.

DEATH BY ACCIDENT COMPENSATION BILL.

On the Order of the Day being read for the House to go into Committee on the Death by Accident Compensation Bill,

SIR F. THESIGER said, he believed his hon. Friend who had charge of this Bill (Mr. Bouverie) had never yet explained to the House the objects and provisions of it; and that no explanation had been given of it except some pleasantries that had occurred elsewhere between two noble and learned Lords, as to the losses of one and the profits of the other. He (Sir F. Thesiger) conceived that this was a question which deserved the serious attention of the House. He was desirous that the law should be improved to the utmost extent; but he wished, at the same time, that no sudden changes should be made without regard to the consequences that might result from them. He trusted that the House would indulge him for a few moments while he explained to them the view he had taken of the Bill which was now proposed for their consideration, and the course which he would suggest to his hon. Friend as the one that it would be proper to adopt under the circumstances. The Hosse, he believed, was perfectly aware of the state of the law on this subject. When a person had received any injury arising from the carelessness or negligence of another, he was entitled to maintain an action to recover damages for that injury; and supposing the person who committed the injury was the servant of another, he was entitled then to maintain an action against the master of that servant; but if death ensued from the accident, all parties were exempted from civil responsibility; and, most unquestionably, the distinction appeared to be very inconsistent and very unreasonable; and for his own part he should be quite prepared to support any measure which would have the effect of relieving the law from the anomaly which existed in this respect. He thought there would be no difficulty in introducing a measure of that description. Many hon. Members were aware that the old common law on the subject of personal action was, that it died with the person; but the statutes had introduced a relaxation of the law in that respect; and the executor or administrator was entitled to maintain an action for any damage that had arisen to the personal property, and in many instances, by a recent statute, to the real droperty of the deceased. He should have no objection at all to continue and enlarge that principle, and apply it to this particular subject, and to say that the executor or administrator of a party who had received an injury that occasioned his death, should be entitled to maintain an action, precisely

in the same way as the person himself would have been entitled had he lived. He saw no difficulty at all in introducing a measure of that kind. He should, in the next place, refer to the provisions of the Bill, which presented some instances of the careless and hasty way in which the Bill had been prepared. It appeared that it was to be applied not merely to cases of negligence; but suppose a person, by an act of violence, should destroy the life of another, under such circumstances, when it only amounted to manslaugher, an action might be maintained by the executor or administrator. Why, he asked, should they stop short there, and say, where the act of violence only amounted to manslaughter there should be an action, but where it amounted to murder there should be no action? What possible distinction as to loss could they make between the two cases? If their objection should be, that with regard to murder a party would be liable to forfeiture of all his goods and chattels, and therefore incapable of paying damages, the same argument would apply to manslaughter, of forfeiture of goods and chattels on conviction. Suppose two persons went to fight a duel, and one of them was killed, if they passed a law of this kind, making persons liable to damages who had committed an act which amounted to manslaughter, that was no reason at all why they should not extend it to the case of a person killed in a duel, and make the survivor liable to all the damages that ensued from that act; and probably it would be a very desirable mode of putting an end to that most objectionable practice. He would next call the attention of the House to the clause under which damages were to be given. He observed that the only persons who were regarded by the provision were the next of kin; but that might be altered in Committee; and he would call their attention to another point. If an action were brought, and damages given according to the loss which a widow sustained by the death of her husband, the widow whose case was the subject of consideration (in case there were children) was to receive only one-third of the damages, and the children were to receive two-thirds of the damages; though the children were independent of the father, and though the damages were estimated on the loss of the widow. He mentioned that as an instance of the hasty and careless way in which the Bill was prepared. He would venture to propose some alterations for the consideration of his hon. Friend; and if his hon. Friend adopted his views it might be as well to postpone the Bill for the purpose of taking into consideration the suggestions he was about to make. With reference to the first clause, he apprehended it was intended by that clause, where death ensued by the negligence of a servant, the master should be liable; but the person causing the death was the only person referred to in that clause; and he proposed an alteration to remedy that omission. It was proposed under this Bill, that all the damages should go to the widow and next of kin; whereas all the persons who were injured by the death of the party ought to be entitled to compensation in respect of that injury; and the damages when recovered should be assets distributable under the Statute of Distribution. He thought these were matters of very great importance; and he trusted his hon. Friend would take into consideration the suggestions he had made.

The ATTORNEY GENERAL entertained considerable difficulty with reference to this measure, which would introduce a new principle into the law of England, though altered as suggested by his hon. and learned Friend. His hon. and learned Friend had referred to the practice of duelling; but it was quite clear that both the Bill and the suggestion of his hon. and learned Friend avoided that question altogether. A great reason given for the introduction of this measure was the manner in which the law on this subject had worked in Scotland; but the suggestion of his hon. and learned Friend was this, that having enabled the executor or administrator to commence an action, the damages that were proposed to be given for the support of the widow and children should in fact be considered as assets and part of the estate, and go to satisfy creditors; now, whatever latitude was given to the law in Scotland, he believed that principle was never adopted. Would it not, therefore, be well not to adopt any suggestion that would carry it much further than the law of Scotland? The suggestion which had been made might have this effect: the proprietor of a colliery, or mine, or any species of machinery whereby an accident should happen, would not only be made answerable for the support of the widow and children of the person destroyed, but, according to the caprice of a jury, might be made to satisfy all the debts of the party; or if the jury thought it right merely to give damages to the widow and

children, they would become part of the assets and subject to the debts of the estate, and all debts would have to be satisfied before the widow and children got anything. He wished to show his hon. Friend who had taken charge of the Bill the difficulty of carrying it out; and he would put it to him, whether it would not be desirable to postpone it for the present. Suppose an accident occurred on a railway by which two persons were killed, the one an artisan maintaining his family by his weekly wages, the other a party who had a life estate of 10,000*l.* a year; though it was for the same act, the parties bringing the action would in one case recover one amount of damages, and in the other case another; so that, in those cases, although arising from the same cause, there would be a contrary result. It seemed to him that there would be some difficulty in carrying out the measure: those subjects required consideration, and he hoped he would induce the hon. Gentleman to pause before he proceeded further with this Bill. He had alluded to the result of the Bill as it was now framed, and likewise what would be the results of the Amendment suggested by his hon. and learned Friend, if carried out without qualification and without the measure being assimilated, as it ought to be, to the law in Scotland.

MR. BOUVERIE would not, after the observations of his hon. and learned Friends, at present go into Committee on the Bill, but postpone it until next Wednesday, with a view to consider the suggestions that had been made.

VISCOUNT SANDON wished to know how it was proposed to secure to the children of a deceased person the advantages which the present Bill proposed to give them. In the event of a jury awarding compensation to them for the death of a parent, would it be made in a gross sum or in an annuity? [MR. BOUVERIE: In a gross sum.] But supposing the widow married another man, how would the benefits be secured to the children? The money might all be expended the day after the verdict in a drunken frolic.

SIR J. GRAHAM observed, that he saw the Lord Advocate of Scotland was about to address the House, and he should be glad to hear his opinion on the matter, because from his experience of the law in Scotland he was capable of explaining what the practice was on this important subject. He would mention a difficulty that occurred to his mind; first of all, with reference to the phraseology of this Bill, he knew not whether it were intended to adhere strictly to the phraseology, but it appeared from it that the party who was to be liable was the party who had caused the death; and he wished to know what construction was to be put on those words. The right hon. Gentleman the Secretary of State for the Home Department knew that in the mining districts in the north of England death to a frightful extent occurred. There was hardly an instance in which any of those fatal accidents had occurred that they did not arise from the neglect and inattention of some ignorant and comparatively ill-paid person. If they were to put the wide construction on the words "causing death," that the employer should in every case be responsible for the acts of the employed, what would be the consequences? He regretted to say, that in some cases about ninety persons in an explosion had lost their lives. It frequently happened that one individval was not the owner of a colliery, but that there were partners, who, if they put the wide construction upon it that they caused the death, would be answerable for damages on separate issues to try eighty or ninety suits, not on behalf of the widow and children only, but on the part of the next of kin. Then the question would arise, who was the next of kin? He might be resident in some distant part of the world; and was that next of kin, having really sustained no damage by the death of his relation, to be entitled to damages against all the proprietors of a collery, though he had really received no damage? The principle of the measure was right; but the practical working of it, and giving effect to it, appeared to him to be surcharged with difficulty. He wished to hear the opinion of the Lord Advocate on the subject; and he felt convinced that there could be no higher opinion on any matter connected with the law of Scotland.

The LORD ADVOCATE said, that with respect to the first point, namely, the construction to be put on the words "causing death," the right hon Gentleman would observe, if he read the 1st Clause of the Bill, that it was not intended to alter the ground of liability at all. It said, if the party was guilty of such misconduct as would make him liable if death had not ensued; and, therefore, it appeared that there was no intention to alter the liability. He was not defending the exact phraseology of the Bill; but he did not un-

derstand it to be the principle of the measure, or the intention of the party who brought forward this Bill, to establish a new ground of liability. The question was, who the parties were that were entitled to sue and recover? and he did not know there was any distinct limit in the law of Scotland as to the degree of relationship that would justify the act; but a person looking for damages must properly qualify himself, and he conceived that a jury would never listen to an action for damages by some distant relation. A person living abroad, totally removed from the person whose death was caused, could not, he conceived, expect the remedy. At the same time he thought, as they were going to legislate on the subject, that perhaps the expression next of kin was extremely indefinite; and it would not be objectionable that the particular relations whom the Legislature thought should be entitled to seek damages should be directly specified. It was only a near relation that ever should recover damages, and practically they had found no difficulty in Scotland on that subject. He might mention a railway case in which lately the widow and children had brought an action. He happened to be employed for the railway, and his advice was to compromise it, giving the children 1,000*l.*, and the widow a large sum. The objection of the noble Lord (Lord Sandon) might easily be met, by allowing the jury to apportion the damages. He did not know whether there would be any difficulty on the subject as regarded the law of England, but it was not the case as respected the law of Scotland. As for the suggestion of his hon. and learned Friend, he considered that the adoption of the principle of allowing a creditor to recover damages, in the case of a debtor being killed, was a very different thing from allowing a relative to recover in such a case. He thought that much might be done to improve the Bill, which was open to some serious objections at present.

Sir F. THESIGER had not suggested that an action should be maintained for the benefit of creditors. What he said was, that when a sum was recovered by the executors of a man killed on a railway, that it would be open to the demands of the creditors, and the residue would be paid over to the relations.

Mr. WAKLEY thought the hon. Member for Kilmarnock had reason to be gratified at the manner in which this measure had been received; and he thought the House had manifested a strong disposition to legislate not only extensively but correctly on this subject. He must say, however, that the Bill was an extremely crude measure; he had scarcely ever seen a Bill more carelessly drawn; and, in his opinion, it must have been drawn by some legal gentleman who was practising as an amateur. The first clause, especially, was utterly incomprehensible. The Attorney General had recommended the postponement of the measure; and he hoped the hon. Member for Kilmarnock would act upon that suggestion. He would suggest that the Bill should be referred to a Select Committee for revision; and if the Lord Advocate and some other hon. and learned Gentleman would act upon that Committee, and would endeavour to assimilate the law of England with the common law of Scotland on this subject, he had no doubt a very useful and practical measure would be produced. As the Bill at present stood, it was by no means clear who were the parties liable to be proceeded against for damages. It was quite obvious, from numerous cases which had occurred, that the law of deodands ought not to remain in its present state. One instance he might mention; that of an accident on the London and Birmingham Railway. It appeared, on the investigation of the occurrence, that one of the men to whose carelessness the accident was attributable, had previously been guilty of very gross offences, but still he had been retained in the service of the company; and under these circumstances, the jury imposed a deodand of 2,000*l.* upon the company. He felt satisfied that, if the matter was tried in a court of law, the inquisition was not very likely to stand; and he therefore consulted his solicitors, by whom the inquisition was drawn, and it was then submitted to a learned gentleman, under whose consideration it remained for several days. It was then laid before the hon. and learned Attorney General, who revised it, and gave his opinion that it was perfectly good. He thought, however, that when the inquisition went into court, its drawing would at once be attributed to the medical coroner, and that it would be treated as nothing better than so much waste paper. He therefore consulted an hon. and learned Gentleman who had recently been raised to the Bench (Sir T. Wilde), and he asked that learned Gentleman to inform him who was the best man at the Bar before whom

he could lay the inquisition for revision. Sir T. Wilde hesitated to give an answer at the moment; and he (Mr. Wakley) therefore asked him to consider the matter, and to favour him with his advice. After some time Sir T. Wilde named two gentlemen. [*Cries of* "Who were they?"] He had no objection to mention their names: they were Mr. Serjeant Stephen and Mr. Peacock. He then asked which of the two he should go to, as he did not like to make his own choice; and Sir T. Wilde eventually mentioned Mr. Serjeant Stephen. The inquisition was laid before that learned gentleman: it remained in his possession for forty-eight hours; he went over it without altering a word or even a syllable, and he said it was perfectly good, his expression being that "it would hold water." He said to himself, "Well, it is now clear that for their gross misconduct the company will have to pay 2,000*l.*" He was, however, sadly disappointed by the result. The case was taken by the defendants into the Court of Queen's Bench, where the inquisition was at once declared to be utterly worthless—it was cast aside, and treated as almost worse than waste paper. He believed that no inquisition had ever been drawn with so much care and attention as that to which he was referring; and he thought it was quite clear, from the result, that the law ought not to continue in its present state. At the same time, great caution was requisite in dealing with the subject; and he entreated the hon. Member for Kilmarnock to consent to refer this Bill to a Select Committee, or at once to abandon the hope of carrying it into law during the present Session.

SIR G. GREY thought that the necessity for some alteration in the law had been shown by the case mentioned by the hon. Member for Finsbury, which proved the impossibility of carrying out the existing law relating to deodands. He hoped, however, that the hon. Member for Kilmarnock would accede to the suggestions which had been made, and that, instead of asking the House to go into Committee on the Bill, he would consent to refer it to a Select Committee. He thought the observations of his hon. and learned Friend the Lord Advocate, with regard to the party liable to be proceeded against for damages, had not been rightly apprehended. That hon. Gentleman had said that the sole intention of the Bill which ought to be kept in view was not to allow the liability to be shifted from one party to another, but to extend the liability which now existed with regard to accidents not resulting in death, to the case of accidents which did result in death. There was at present a gross anomaly in the law on this subject. If a man, through the gross carelessness of a railway company, met with an accident, by which he sustained serious injury, or lost a limb, he might bring an action against the company, or the parties liable in law, to recover damages for the expenses of medical attendance and the loss he might sustain from inability to attend to his profession; but if, while such action was pending, the injured man died, the proceedings were at once stopped, and his family, besides sustaining the loss of perhaps their most important member, were not only subjected to the cost of medical advice, but to the costs of the action which had been commenced. He hoped the hon. Member for Kilmarnock would consent to refer this Bill to a Select Committee, when its details might be fully considered; and that the same course would be taken with regard to another measure—the Deodands Abolition Bill, which stood on the Paper.

SIR J. GRAHAM said, that it appeared to be the general opinion of the House that the law of deodands was in a very imperfect state. He would suggest that the Bills should be postponed until Monday; and considering that Lord Campbell, the Colleague of the right hon. Gentleman, had taken great interest in the subject, that the Government would, before that day, determine whether the whole question of the law of deodands should not be referred to the Criminal Law Commissioners. It was not, certainly, a part of the criminal law, but it was germane to it, and he could not see what objection there could be to refer it to them, so that at the commencement of next Session they might have their report on the subject. It was impossible that this subject could be referred to more competent or able persons than Mr. Starkie or Mr. Amos, both of whom were members of it. At that period of the Session was it likely that the measure could be carried to a successful termination?

MR. HENLEY concurred in the suggestion to refer the matter to the Criminal Law Commissioners. There was one point worthy of consideration—whether or not it were intended by the Bill to place a man in such a situation that he might be

first tried for manslaughter, and afterwards have an action for damages brought against him.

The ATTORNEY GENERAL observed that, of course, the Government could not say what should be done with this Bill, without the assent of the hon. Gentleman who had charge of it. It was very desirable that the deodand should be made the means of affording some compensation to the family of a person killed. There was no difficulty as to the law of deodand itself: the difficulty was, whether it should be abolished, or how it should be applied.

Lord GRANVILLE SOMERSET would suggest that in any alteration of the law of deodand, the manorial rights should be taken into consideration.

Bill postponed until Monday.

House counted out and adjourned at a quarter before Five o'clock.

HOUSE OF LORDS,

Thursday, July 23, 1846.

Minutes.] Public Bills.—1ª. Ordnance Survey. *Reported.* Coalwhippers (Port of London).
3ª. and passed. Saint Asaph and Bangor and Manchester Dioceses.

Petitions Presented. From Kidderminster, South Molton, and Dorchester, in favour of the Small Debts Bill.—From Denis O'Flyn, of Cork, against the Collection of Ministers' Money.—From Benjamin Lewis, of Cumberland Place, New Road, for Alteration of the Small Debts Bill.

RAILWAYS.

The Duke of WELLINGTON begged to call their Lordships' attention to a petition which he had to present from a person named Hartnell, residing near Yeovil, in the county of Somerset, complaining of the injustice which had been done to him under an Act of Parliament passed by their Lordships in the last Session. The petitioner stated that he had a house and grounds which he used as a nursery garden, and which were included in the land proposed to be taken by a railway company, under the Act alluded to. That the company had entered on his grounds, but that the Act had not been since carried into effect; that no arbitrators had been named to award him compensation for his property, and that, in point of fact, no compensation had been given or offered to him; that his property had been completely useless to him since this Railway Act had been passed into a law; that he had since January last received two notices from the railway company of their intention to take possession of his property, but that nothing had been done in compensating him for the loss which he had sustained. The noble Duke proceeded to observe, that, from the great advantages conferred by Parliament on these railway companies, and considering the powers which were given to them, in order that they might keep to themselves those advantages, he should say they ought, at least, to conduct themselves with fairness towards those unfortunate proprietors who were the victims of their speculations, and of the measures passed to enable them to obtain possession of property. He would not conclude what he had to say on this subject without naming the company that had been guilty of what he should call this outrage. It was the Great Western Railway Company which was making this railroad by Yeovil.

The Earl of CLARENDON wished to say a word on this subject, as he had been Chairman of the Committee of their Lordships' House by which the Bill alluded to in the petition had been passed. The petitioner complained before the Committee that he had not been fairly used; and he (the Earl of Clarendon) in consequence succeeded in suspending the decision of the Committee until an arrangement was come to by the company with this person. The engineer, on the part of the company, entered into a specific promise in consequence before the Committee, that the required arrangement would be carried into effect. There was not the least doubt but that, firstly, the petitioner had been extremely ill used, and, secondly, that the company had no right whatever to enter on this holding without awarding him compensation. He (the Earl of Clarendon) believed that the reason the company had so acted was that the party happened to be a poor man, and did not know how to resist them. He thought the Land Clauses Consolidation Act contained a clause providing a remedy for cases like the present, and he hoped this poor man would be so advised as to procure justice under it.

Lord BROUGHAM said, he was very glad his noble Friend had brought forward this matter. He (Lord Brougham) had occasion during the last Session to state this poor man's case before their Lordships, when presenting a petition against the same railway speculators, from a noble lady in that neighbourhood, who asked him also to mention the case of her poor neighbour. This was not a solitary case of the kind, as he knew by the many private letters which reached him. Lord Harbo-

rough resisted these parties, and defeated them; but the petitioner was a poor man not able to compete with them. Their course was this. They kept the powers which they acquired by their Bill hanging over the poor man's head, and did not grant compensation until such time as they required to use the property, though in the meantime it was utterly valueless to the holder. The petitioner could not carry on his improvements as a nursery gardener, and yet this company declined paying him. He was glad to hear his noble Friend opposite (the Earl of Clarendon) admit that the trespass by the company was a most gross one; but there still could be very little doubt, as most jurors were railway proprietors, that if this poor man brought an action for trespass against the company, he would not get damages sufficient to pay him his costs out of pocket.

LORD VIVIAN thought that the time fixed in all Railway Acts for the purchase of land should be materially shortened. It was monstrous for a company to seek a period of seven years, during which they could command a compulsory sale of property.

The DUKE of GRAFTON agreed that the time for the purchase of land should be limited, and he thought two years quite enough. He did not think, however, that such a long period as that mentioned by the noble Lord was ever allowed.

LORD VIVIAN said, when the London and York Railway was before the Committee, of which he happened to be a Member, a power of seven years for the purchase of land was sought for, but he succeeded in having the period reduced to five years.

LORD PORTMAN said, the company of which the petitioner complained was not the Great Western Railway Company, but the Western Branch of the Bristol and Exeter Railway.

Petition read and ordered to lie on the Table.

THE INSURRECTION IN GALLICIA.

The MARQUESS of LANSDOWNE wished to state, in reference to the question which his noble and learned Friend (Lord Brougham) had put to him a few evenings ago, on the subject of the confiscation of the property of Polish refugees by the Austrian Government, and which he had declined answering until he could communicate with his noble Friend the Secretary of State for Foreign Affairs, and inform himself of the precise facts. He was anxious now to state to his noble and learned Friend and the House, that he had since then so informed himself, and that there had been certainly no communication made on the part of the Austrian Government to the Government of this country on the subject of the unfortunate circumstances—unfortunate in every respect—which had taken place in that country. But though no communication had been received from the Austrian Government, Her Majesty's Government had received most authentic information from time to time as to these proceedings; and he was happy in being able to announce that the last communication which had been received on the subject stated, that there was, on the part of the Austrian Government, a disposition to lean as leniently as possible on those parties. He had only to add, that he hoped that leniency would take effect more especially with regard to those unfortunate individuals who might have been involuntarily mixed up with those transactions, or who, from accidental circumstances, might have been suspected of taking a part which they really did not take. He relied on the character of the Government of that country that no time would be lost in doing justice to those individuals, as far as it was consistent with the safety of the Government of the country to permit, and that no conditions would be sought inconsistent with the feelings of honour, and the characters of the parties.

LORD BROUGHAM said, nothing could be more satisfactory than the statement of his noble Friend; and he had only to add, lest the matter might lead to any misunderstanding elsewhere, his great and vehement displeasure at the whole proceeding connected with the insurrection in Gallicia, an insurrection that he regarded as wholly unjust.

RELIGIOUS OPINIONS RELIEF BILL.

LORD LYNDHURST wished to draw their Lordships' attention to a Bill which had been for some time before their Lordships' House—he meant the Religious Disabilities Bill. That Bill had passed through Committee on the understanding that a communication should take place on the subject between himself and a right rev. Prelate (the Bishop of Exeter), and it was now waiting to be recommitted, with a view of considering some Amendments that were intended to be proposed. He had since had an opportunity of meeting that right rev. Prelate, and had agreed with

him as to some Amendments. He wished at present that their Lordships would consent to go into Committee *pro formâ*, for the purpose of having the Amendments printed, with one or two others which he intended to propose. He understood that Her Majesty's Government were disposed to make this a Government question, to be brought forward as a Government Bill. He was willing to accede to that proposal on the distinct understanding that they would proceed with the measure without any avoidable delay. He hoped, under the circumstances, their Lordships would allow the Bill to pass *pro formâ* through Committee, in order to have the Amendments printed.

The MARQUESS of LANSDOWNE said, he was exceedingly glad that the noble and learned Lord was willing to go on with the measure. He could not have the least hesitation in assuring the noble and learned Lord, on the part of the Government with which he had the honour to be connected, that they would consider this Bill as a Government measure, so far as giving it every facility in their power in its progress through Parliament.

The BISHOP of LONDON said, he and his right rev. Friends had not had an opportunity of seeing the Amendments to which the noble and learned Lord alluded, and it was their earnest hope that Her Majesty's Government would not press the third reading of the Bill during the present Session.

LORD BEAUMONT said, he could not help expressing his surprise at the application made by the right rev. Prelate, especially when he recollected the course which the right rev. Prelate had himself taken when the question was before the House. This question had been for more than three years before their Lordships; and the present Bill had been fully discussed on two occasions this Session, in presence of the right rev. Prelate himself—the right rev. Prelate having spoken on each occasion. On one of these discussions the right rev. Prelate left the House before the termination of the debate; and on the other he declined dividing the House. Both the supremacy of the Crown and the introduction of bulls had been fully discussed. The former of these questions being a matter of fact, could not be affected by any law repealing the penalties to which a person denying that fact was now liable.

The BISHOP of LONDON explained. The noble Lord appeared to forget that he (the Bishop of London) had no objection to the Bill itself. He was not one of those who thought the Bill should not pass; and the objections which he raised to certain parts of it were, he believed the noble Lord would admit, not urged in a speech of a very polemical character. The ground on which he now asked for a postponement of the measure was, that the bishops were all officially employed in their respective dioceses, so that it was impossible for them to attend in their Lordships' House.

LORD LYNDHURST said, that he did not complain of the manner in which the discussion had been carried on on this Bill by the right rev. Prelate. He hoped that they would at once go into Committee *pro formâ*, and he would then name an early day for its discussion.

House in Committee. Amendments made. Report to be received to-morrow.

THE ST. ASAPH AND BANGOR AND MANCHESTER DIOCESES BILL.

On the Motion of the EARL of POWIS this Bill was read a Third Time.

On the Question, That the Bill do pass, a question arose as to whether the Queen's assent was not necessary; and the Motion was postponed until Monday.

THE PRESTON, LIVERPOOL, AND ORMSKIRK RAILWAY BILL.

LORD STANLEY wished to call the attention of his noble Friend the President of the Board of Trade to a petition on this Railway Bill, as well as a number of other Railway Bills which were now being proceeded with. The progress of this Bill had been impeded by a number of circumstances over which the projectors of it had no control; so that the second reading of it was only put down for Monday last, the 20th of July. Now one order prevented an opposed Bill from having a Committee named on it on the same day as its second reading; and another order directed that no Bill should be committed after the 20th of July. The progress of this Bill had already involved the company in a charge of 60,000*l*. He did not wish for an immediate answer to his question; but he wished to ask his noble Friend whether the Government would provide some remedy to meet a case of hardship of this kind? It would be but an act of justice to put an end to the uncertainty which existed on this subject.

LORD BROUGHAM said, that it appeared in this case that the delay was not attributable to the conduct of the parties. Under the peculiar circumstances of this Bill, they should make some allowance, as every disposition had been manifested by the parties to get the second reading of this Bill before the last day named for that purpose. The whole of the 60,000*l.*, which would otherwise be thrown away, might be saved by coming to some resolution on the subject.

The EARL of CLARENDON said, that he had received a deputation of the parties promoting this railway, but he had not held out to them any prospect of their obtaining what they asked for. It was for the House to consider whether, under the peculiar circumstances of this case, an exception might not be made. He would state in the course of to-morrow the course which the Government would recommend to pursue.

LORD REDESDALE denied that any peculiar hardship existed in this case, for notice was given in May last that no Committee on a Railway Bill should be appointed after the 20th of July. This might appear a case of hardship, but there were many cases of greater hardship. He trusted that the House would adhere to its Orders, for if they opened the doors on these occasions it would lead to endless confusion, for all parties would imagine that they could break through a neglect of the Orders, as they could always get excused.

LORD BEAUMONT considered that it would be inconvenient then to go into the discussion, as the House had fixed it for to-morrow.

LORD STANLEY would suggest that a return should be prepared, and laid on the Table, of the state of the Railway Bills before the House on Monday last.

Petition laid on the Table.

House adjourned.

HOUSE OF COMMONS,

Thursday, July 23, 1846.

MINUTES.] NEW MEMBER SWORN. For Lancaster County (Southern Division), William Brown, Esq.

PUBLIC BILLS.—1°. Burial Service (No. 2); Militia Ballots Suspension; Public Cemeteries.

2°. Sugar Duties (No. 2).

Reported. Baths and Washhouses.

PETITIONS PRESENTED. By Mr. Thomas Duncombe, from Stephen Pearson, of No. 2, Lamb's Conduit Street, in the Parish of Saint Andrew, Holborn, for Alteration of Law respecting Divorce.—By Mr. M'Clintock, from Noblemen, Gentlemen, and others interested in improving the Salmon Fisheries of Ireland, for Alteration of the Fisheries (Ireland) Bill.—By Mr. Attorney General, from Bankers, Merchants, and other Inhabitants of the City of Chester, for the Establishment of Local Courts for the Recovery of Small Debts.—By the Marquess of Douro, from Bankers, Merchants, Manufacturers, Traders, and other Inhabitants of the City of Norwich, and by Mr. Milner Gibson, for Alteration of Law of Rating and Settlement.

MILITARY OPERATIONS ON THE SUTLEJ.

MR. SPEAKER acquainted the House that he had received from the right hon. Lieutenant General Viscount Hardinge, the following letter, in return to the Thanks of this House, communicated to him in obedience to their commands of the 2nd day of March last: And the same was read, as followeth:—

"Simla, May 10th, 1846.

"Sir—I have had the honour to receive your Letter of the 6th March, conveying to me the Resolutions of the House of Commons of the 2nd of March, which I have communicated to the Commander in Chief, General Sir Hugh Gough, bart. G.C.B., and to the several General Officers referred to therein.

"The deliberate and unanimous expression of the approbation of the House of Commons is an honour highly appreciated by the General Officers, Officers, and Soldiers, both European and Native, of the Indian Army, employed in the late operations on the Sutlej.

"I have to offer to you, Sir, my best acknowledgments for the very obliging terms in which you have been pleased to communicate to me the Resolutions of the House of Commons.—With the greatest esteem and respect, I have the honour to be, Sir, your obedient servant, "H. HARDINGE.

"The Right Hon. the Speaker, &c. &c."

BATTLE OF ALIWAL, AND BATTLE OF SOBRAON.

MR. SPEAKER acquainted the House, that he had received from the Right Honourable Lieutenant General Viscount Hardinge the following letter, in return to the Thanks of this House, communicated to him in obedience to their commands of the 2nd day of April last: And the same was read, as followeth:—

"Simla, May 25th, 1846.

"Sir—I have had the honour to convey to the Commander in Chief, Lord Gough, G.C.B., to Major General Sir Harry Smith, baronet, G.C.B., to the General Officers, Officers and Troops of the Army of the Sutlej, the Thanks of the House of Commons, which have been unanimously voted to them for the Victories of Allewal and Sobraon.

"This is the second occasion, during the same Session of Parliament, that I have had the good fortune to acknowledge, on behalf of the Army of the Sutlej, the high honour which has been conferred upon that Army by the House of Commons.

"This distinction, so promptly and unanimously bestowed by the Representatives of a free people.

is a reward highly appreciated by their countrymen serving in a distant frontier of Her Majesty's Indian Empire; and, as regards our fellow subjects of the Native Army, the distinction is received by them as an honourable proof of their connection with Great Britain, by publishing to the people of this great Empire, that their faithful services are recognised and esteemed by their Sovereign and the British people.

"I return you, Sir, my best thanks, for the very handsome terms in which your kindness has induced you to convey to me the House's pleasure, and which I must attribute to your partiality, in recollecting that I have had with you, for many years, the honour of a seat in the House of Commons.—I have the honour to be, Sir, your obedient servant, "HARDINGE.

"The Right Hon. the Speaker, &c. &c."

LOSS OF THE POTATO CROP (IRELAND).

MR. O'CONNELL, seeing the right hon. Gentleman the Chief Secretary to the Lord Lieutenant of Ireland, in his place, wished to inquire of him if he had received any intelligence that seemed to threaten a renewal of the disease with which potatoes had in the past year been so extensively affected?

MR. LABOUCHERE said, that in answer to the question of the hon. and learned Gentleman, he had only to state that he had received letters from various quarters, official letters as well as private communications, to the effect, that though the prospects of a favourable harvest were excellent as regarded all other productions, yet that with respect to the potato crop, the disease had unfortunately made its appearance; and he feared that there was every prospect of its spreading to a serious extent.

FEES IN COURTS.

MR. ESCOTT wished to know from the right hon. Baronet opposite, whether he would, in the early part of the ensuing Session of Parliament consent to the appointment of a Committee to inquire into the general subject of the Fees in Courts of Law and Equity?

SIR G. GREY replied, that the matter to which the hon. Member referred was a very fitting subject for inquiry, and he should support any Motion for inquiry respecting it.

THE POOR REMOVAL BILL.

On the Question, that the Speaker do leave the chair, for the House to go into Committee on the Poor Removal Bill,

MR. WODEHOUSE said, that the last time the present measure had been before the House, he earnestly requested that it might be postponed till another Session of Parliament. He now rose for the purpose of repeating that request. The evil which the Bill was intended to remedy was, after all, not an extreme hardship; and he hoped the House would agree with him when he said, that the probable effects of the measure were likely to be so varied that Parliament could not proceed with too much caution. It was said, that the provisions of this Bill were expected to be of great consequence to the landed interest; but, whether it were of the most importance to the landed or the trading interests, one thing was certain, that its effect would be to throw vast masses of the population upon their own resources in small districts. For this reason, he recommended the House carefully to consider the course they were taking, and maturely to deliberate on the measure. In the year 1817, this subject had been with others referred to a Committee; and that Committee recommended that persons who resided in a parish for three years without becoming—within the three years—chargeable to that parish, should in consequence of such residence be entitled to a settlement therein; and the Committee of 1817 recommended that parties so obtaining a settlement should be permitted to depose to the facts which gave them a title to it, after giving notice to the overseers of their intention so to depose. The Committee that then sat acknowledged that the subject was one of very great moment; and, considering it as he did to be one of the most serious nature, he felt bound again to urge upon the House the expediency of its postponement until the subject could be fully gone into in the next Session of Parliament. Those were the views which he entertained on this important subject; and acting, as he hoped he did, in unison with those whom he was accustomed to act with, he would say, that though he did not desire to see the Bill put off altogether, yet he wished that the measure might be postponed till the next Session. He begged at the same time to observe, that he had no wish to harass the Government upon this matter or any other. The hon. Member concluded by moving, that the House should resolve itself into a Committee on the Bill that day six weeks.

MR. HUME seconded the Amendment. He hoped, whatever change the Poor Laws underwent, that the present proposition would be well and carefully considered—not by itself, but the whole system of our Poor Laws. He wished to remind the

hon. Members that the present question came before them without any recommendation from the Poor Law Commissioners. He was anxious for the postponement of this measure, not only on the grounds which he had stated, but for this reason also, that there was little use in legislating on so small a branch of the subject in the present year, when it was arranged that the whole of the Poor Laws should come fully under the consideration of Parliment early in the next Session. He might mention that in a part of Norfolk with which he was connected, he and another person would possess, if this Bill passed into a law, the power of removing all the poor out of the parish, and thereby occasioning very great distress.

MR. BROTHERTON said, there was no opposition to this Bill on the part of the manufacturing districts; and if it were to be postponed, it should be understood that it was at the request of a Gentleman from whom had sprung the insinuation that the manufacturers would oppose it. He had had several opportunities of obtaining the opinions of boards of guardians in the manufacturing districts as to this Bill; they would offer no opposition to its progress; and if the Government withdrew it, he hoped it would be known that those boards had not any sort of objection to the measure.

SIR G. GREY wished to remove any impression that the Government intended to postpone the Bill. He was prepared to go into Committee on the Bill as amended. It would certainly have been the easiest course for the Government to have stated that this was only a part of a great question, upon which it was not desirable to commence any partial legislation, and that upon the whole they thought it better to let the question stand over till another Session; but the Government, after a full consideration of the question, had felt that they would neglect their duty towards a large class of the community if they adopted such a course. This measure was referred to by the right hon. Baronet opposite when he introduced his commercial policy as a measure which would remove a great defect in the existing system of poor laws, under which the labouring population were suffering what he rightly termed a gross injustice. If this Bill were to be taken as a permanent Act, and was not to be followed up by a more perfect alteration of the law of settlement, he owned that he would have entertained great objection to this Bill; but as it stood, the Bill would lay the ground for a more fair consideration of the whole question next Session, when they would have had experience of its working; and after the gratifying announcement just made, that the Bill would receive the support of the towns on which the increased burden would mostly fall, he hoped that the House would at once consent to go into Committee.

MR. P. SCROPE said, that the Bill did not give irremovability after five years' labour in the parish; it went a very little way towards effecting that object; but it would create a new injustice of another and a novel kind. It made the parties irremovable who had resided for five years in any place, not who had laboured there, or had, for any time, given to the parish the profit of their labour; this was introducing a new principle into the law of England, and would operate as a grievance in not a few parishes. He would refer to five or six cases, that the House might not rush into this hasty alteration of the law with their eyes shut. A petition had been presented from Sutton, in Nottinghamshire, stating that they had eighty heads of families of agricultural labourers settled in that parish, and ninety heads of families whose settlement was not there; and after the passing of this Act the extra population of 200 or 300 would be irremovable. In another petition from Wisbeach St. Mary's, it was stated that they had 100 families whose settlement was not now in that place. On Winchlow, Warwickshire, 300 persons would be flung for relief, who would now be relieved by other parishes; and at Castleacre, Norfolk, it would add twice the present number to those which would be relieved. The principle of the Bill was to relieve rich parishes under the command of one or two wealthy proprietors, and to throw the expense of maintaining the poor on the poorer parishes. The right hon. Gentleman might intend to remove the injustice in a future Session; but he was not sure that he could do so, for those to whom the power of relieving themselves from chargeability might maintain it. There was one remarkable petition against the Bill from a parish in Wales, which was in a great degree inhabited by families who worked in the copper and iron works of a neighbouring parish, from which it was separated only by a small stream; and all those persons who worked in the copper and iron works on the other side of the stream would be chargeable on the parish

where they resided but did not work. If the Bill was not intended to be permanent, the Government had better postpone it till the whole question should be settled.

Mr. J. S. WORTLEY would give all the assistance in his power to improve this Bill in Committee; for it was a measure which would be advantageous to the country, and confer a great boon on the labouring classes. The hon. Member for Stroud had lost sight of the most important parties—the poor persons. A Paper had been laid on the Table that Session, showing the great extent of removals. These were a hardship on the poorer classes, and constituted a case of itself for redress; and when it was said that the parties would be chargeable where they resided, it must be remembered that if they did live in a populous parish, they spent their income there. In Yorkshire he knew of much hardship, because, in times of manufacturing distress, poor persons were sent back to work in the agricultural districts. He did not think this a perfect measure, for he should have preferred union settlements; but he agreed in thinking it most desirable to have the experience of the working of this measure for twelve months; it would check rash and inconsiderate removals, and could do no harm.

Mr. STRUTT regretted that the Government pressed this measure in the present Session. He objected to make such an important alteration in the law of settlement without consideration or inquiry, when there was to be a general inquiry into the law of settlement next Session. This alteration would introduce the new and anomalous principle of irremovability; and yet the introducer admitted that, unless it was accompanied by union settlements, the measure would create great injustice. They would act unfairly unless they went into the full inquiry next year, without prejudicing the question by the present adoption of this new and anomalous principle. The hon. Gentleman who spoke last stated that those Gehtlemen who he would not say opposed, but desired the postponement of this Bill, did not seem to consider the labouring poor. He hoped he should not render himself liable to the charge of a want of hnmanity towards the poor. But while they were anxious for the relief of the actual pauper, they should not forget that they ought also to show some humanity towards the poor ratepayers — their humanity should not be exclusively confined to one class. Now, what would be the immediate effect of this Bill? Why, it would impose upon a great number of poor parishes the burden of relieving the poor of other parishes. When he saw a poor ratepayer, who might have been a pauper, but who by his own exertions, his own industry, economy, and self-denial, had succeeded in maintaining himself as a ratepayer, he must say, that he did think that some humanity should be extended towards such men; and they should take care that no provisions in this Bill should injure them. There was another provision in the Bill to which the attention of the House had not been called. He thought it was now admitted that nothing could be more dangerous than leaving it to the option of the pauper as to the parish by which it should be relieved. It was well known how much the officers and ratepayers of a parish were interested in getting paupers removed from their parishes, and that they would offer bribes and inducements to paupers to swear that their place of settlement was in some other part of the country. It was true that there was a penalty of 40*s.* to 5*l.* in the Bill against any attempt at fraud with regard to the five years' residence; but how difficult was it to put such provisions into effect. He did not mean these as final objections to the Bill; but he objected to the period of the Session at which this crude legislation was proposed; and if the Government persisted in refusing to withdraw the Bill, he should not hesitate in voting with the hon. Member for Norfolk.

Sir J. PAKINGTON had great satisfaction in finding that the right hon. Gentleman had determined to proceed with a Bill the very principle of which had been recommended in a Report from the Poor Law Commissioners. When it was said, that the Bill was introduced without sufficient consideration, he must remind the hon. Member that a Bill similar in principle was introduced by the right hon. Member for Dorchester (Sir J. Graham) at the close of the year 1844, for consideration during the recess; and it was discussed in 1845, and only withdrawn on account of the union settlements. The Bill was now without them: he was sorry for it; but the principle of irremovability had been discussed in that House. It was hard upon the rural parishes to have to maintain parties they had never seen, and who were connected with them only by this law of settlement; and it was a great hardship on the poor.

MR. PACKE said, the Bill was brought forward for the benefit of the agricultural districts; but by Yorkshire and Cheshire, which were extreme cases, alone would any benefit be obtained, and in other parts of the country the Bill would work extreme injustice: under it the poor would be more harshly, corruptly, and tyrannically removed, because an absolute power would be given to the landowers; and where they had the benefit of the labour, the ratepayers would be glad of getting rid of the obligation to support the workmen.

COLONEL WOOD did not support the measure on any calculation of benefit to the rural or the manufacturing districts: with respect to them, he believed it would be a give and take change; but viewed it on the much higher ground of doing justice to the poor, by removing the dreadful law which hung over them, by which a poor man, at the end of a long life, might be removed to a parish with which he had no connexion, and in which all the inhabitants were strangers. With respect to the petition from Wales, it was signed only by three persons, the clergyman and two ratepayers, and came from a parish near Merthyr Tydvil, where it happened that there was a common, with a good supply of stones, which gave every facility to the labourers for building cottages. He thought, therefore, there was no reasonable cause for alarm; and that, whatever parishes might lose by having a few poor passed on to them, they would gain by the wages others brought there. He hoped the Government would proceed with the Bill in its present shape, and that without any amendment it would pass into a law.

MR. B. DENISON must say, that he thought the present state of the law of settlement was disgraceful to the country; for a person might be sent from one end of the kingdom to the other, more like a criminal than an unfortunate being unable to obtain his livelihood. He held in his hand a return which was made since the last discussion on this subject; and it appeared that in the year 1843, from the borough of Leeds, no less than 964 persons had been removed; of that number 56 had resided in Leeds all their life; 6 had lived there 40 years; 6 for 30 years; 32 for 20 years; 1 for 10 years; 27 for 5 years; and the rest for shorter periods. But suppose they passed the Bill before the House, what would they do? For it appeared by the return to which he had already referred, that, if they did pass this Bill, and said that no person should be removable who had been residing in a parish for five years, there would, in Leeds alone, be left 900 persons to provide for who were removable as the law stood, and thereby a heavy responsibility would suddenly be thrown upon that parish. At the same time, he hoped the House would not think he was adverse to this proposed law of removal, for he thought it ought to pass; but what he wanted the House to consider was, that it should be accompanied by an alteration of the union settlement. A change was required; but this appeared to him to be a monstrous jump for the House to take all at once; and it would lead to great consternation in the manufacturing districts. Not that he said they ought not to bear it; but he did hope the House would be cautious in dealing with the question, and would couple with it the consideration of union settlements, so as to soften the evils it would inflict upon those districts. With respect to the point of hardship to a parish having to maintain persons who had earned their living in another parish, he thought it was nothing, for the former parish would have received the advantage of the wages those persons had earned. If a man slept in parish A, but earned his living in parish B, he thought parish A ought to maintain him, because he had brought his wages and spent them there. He therefore saw no reason to entertain those apprehensions which some entertained; but he thought it would be much better to refer the whole matter to the consideration of a Committee.

MR. BANKES could not but feel very considerable difficulty upon this subject, when he perceived the diversity of opinions that had been expressed by so many hon. Members, some of whom, as chairman of boards of guardians and of quarter-sessions, had had a great deal of experience upon it. But, after all he had heard, he retained the opinion he had held ever since the Bill had been introduced, viz., that although it stopped far short of the benefits that might be enacted in regard to the poor on the question of settlement, yet, seeing that the Bill in its reduced form of not more than seven clauses contained in every one of those clauses a principle of which he approved, he thought it would confer some benefit on the poor, and that would induce him to vote for it, although he considered it an imperfect measure. It would be a comfort to the feelings of the poor to know that some such measure was passed; but he would venture to call the

attention of the law officers of the Crown to this point, which he thought very material in regard to the benefits the poor would derive from this Bill—whether it was the intention of the Bill as it now stood to give a poor man the option of returning to his own settlement, or of remaining where he then might be; for, if it were not, then he doubted extremely whether any benefit would in fact be conferred upon the poor man by this Bill. It seemed to him, indeed, that all power of removal was taken away from the magistrates by this Bill; though every one knew that the poor man had no means of removing himself; that he could only do it through the instrumentality of the magistrate. However, he should vote for going into Committee, and then, if no other hon. Member did so, he should propose the addition of a few words to the first clause, which would give to the poor man the option of remaining in the place where he had laboured three or five years, or of going to the place of his own settlement. With respect to the question of union settlements, he thought the Government had acted prudently in withdrawing that portion of the measure; for it was a question to which, at that late period of the Session, they could have no hope of the House giving due consideration. At the same time, his opinion was, that if they went so far as to give a union settlement, they had better go further, and give a county one.

Mr. E. DENISON had a very great objection to the Bill as it at present stood. The authority of the right hon. Gentleman opposite had been used in favour of this measure; but he thought that that was an improper use of that authority; for the right hon. Gentleman stated in that House that he thought the measure in its present shape would lead to great injustice and much inequality in different parishes, and doubted whether it would produce any good, or rather whether it would not work evil, if unaccompanied by some other such measure as that of union settlements; but the noble Lord on that (the Ministerial) side of the House had expressed his opinion against union settlements; and therefore it was not right to take advantage of the authority of the right hon. Gentleman opposite for bringing in this Bill. This was no measure of the present Government. On the contrary, he had a right to state that the authority of almost all the Members of the present Government who had taken part on this measure was against it. His right hon. Friend the Chancellor of the Exchequer had done him the favour to support the Motion he had introduced for union settlements; but he said, "I do not come down to support your union settlements; but what I came down to press upon the House was this—and I do so upon some authority, for I have been in the habit of attending as chairman of a board of guardians—that irremovability without settlement is so bad, so objectionable, that it is impossible for me to allow any Bill to pass in such a shape." But what was the system under this Bill but one of irremovability, which his right hon. Friend had said was so bad and useless, that, so far as his knowledge went, he was entirely opposed to it? His right hon. Friend had had no opportunity of attending a board of guardians in the mean time, and he really could not conceive what grounds his right hon. Friend could have for his change of opinion. He himself thought that this measure would be legislation in the wrong direction. All who were driven out of one parish the adjoining parish would have to maintain. That would be a great grievance, which their legislation ought to endeavour to prevent. They ought to do what they could by law to prevent any inducement for persons to be driven from one parish to another adjoining, thereby inflicting a great injustice upon the ratepayers of the latter parish, as well as upon the poor themselves. He had stated on a former occasion, that the kingdom was pretty equally divided into close and open parishes, and if that were the case, one half of the kingdom would have to maintain the poor of the other half. Was that right or just? Would it not be extremely injurious to the ratepayers, and would it not also be unjust to the poor themselves, for nothing could be harder upon them than to be driven from a parish where they had lived, and where they had formed connexions, to a remote parish, where, perhaps, they knew no one.

The CHANCELLOR of the EXCHEQUER said, he had hoped that, after the last discussion upon this subject, they might have been permitted to have at once gone into Committee upon this Bill; but after the personal reference that had been made to himself by his hon. Friend the Member for Malton, he might be allowed, perhaps, to say a few words. He did not think this Bill by any means a perfect Bill. But nevertheless he did consider it a Bill in the right direction. He thought his hon.

Friend was entirely wrong when he said they were going back, for in his opinion the system which this Bill proposed was better than that which now existed. On a former occasion he had said that he thought that settlement was the great evil of the poor, and that the more they could get rid of the present law of settlement and removal, the more would they do for the benefit and improvement of the condition of the lower orders. And that was the reason why he was ready to support this Bill. He regarded little whether this parish or that supported the poor; but this he did say, that it was extremely hard that the poor should be inconvenienced whilst a quarrel between two parishes should be decided. As a guardian of the poor, he could speak from his own knowledge as to the hardship and severity of removal in the time of manufacturing distress. Over and over again persons were brought before the board who told the guardians that they had lived for fifteen or twenty years at Halifax, or some other place—that their children were born there, and that there they had formed connexions; but that, if they were sent back to their own parish, miles and miles off, they would find all their connexions dead and gone, and should not know what to do with themselves; that they would have no other means of living than to break stones; that that was the only species of labour they were fit for, bred up as they had been in manufactures all their life, and conversant only with that; and yet hundreds and hundreds of families had been removed from towns where they had lived for many years, to remote and distant parishes. He thought, then, that this Bill was a step in the right direction.

MR. HENLEY said, if he thought the Bill would stop removal, he would vote for it; but after the declaration of the Government, that an important measure embracing the whole question must be brought in next Session, he should vote against the Motion to go into Committee, on the ground that paupers would be hung up by suspended orders of removal in the interim. He was averse to doing and undoing their legislation within six months.

MR. HORSMAN would also support the Amendment, in order that a measure more comprehensive, and not confined to the question of settlement, might be considered by the House.

SIR J. GRAHAM would not detain the House at any length, but as they were about to proceed to a division, he would state the reason which would decide the vote he was about to give. He could not doubt that the portion of the original Bill which they were about to discuss would be most beneficial to those who had a claim upon the rates for the maintenance of the poor: as far as they were concerned the measure was an excellent one; but he retained the opinion he had more than once expressed, that the right of irremovability conferred upon those who had no settlement, would be attended with a burden upon the ratepayers. In justice to the ratepayers it would be found necessary, if this measure became law, to throw the extra burden on a larger area. They must in justice proceed to the establishment of union settlements, if they established the principle of irremovability. At the present moment, at so advanced a period of the Session, the House was not prepared to adopt the principle of union settlements; but he for one was prepared to proceed with that portion of the original Bill which now remained for consideration, because, if it became law this Session, he felt convinced that next Session the House would be compelled to go to that ulterior length, the establishment of union settlements, which ought, in justice, to be adopted.

MR. V. SMITH said, if the right hon. Gentleman thought the Bill in its present shape would be so unjust to the ratepayers that it would be impossible not to alter it next Session, that formed a strong argument for postponing the Bill till next Session.

The House divided on the Question, that the words proposed to be left out stand part of the Question:—Ayes 112; Noes 36: Majority 76.

List of the AYES.

Acland, Sir T. D.	Clements, Visct.
Baine, W.	Colebrooke, Sir T. E.
Bankes, G.	Courtenay, Lord
Barnard, E. G.	Cowper, hon. W. F.
Barron, Sir H. W.	Cripps, W.
Beckett, W.	Dickinson, F. H.
Berkeley, hon. C.	Duckworth, Sir J. T. B.
Berkeley, hon. Capt.	Duncombe, T.
Bernal, R.	Dundas, Adm.
Borthwick, P.	Ebrington, Visct.
Bowes, J.	Egerton, W. T.
Bowles, Adm.	Ellice, rt. hon. E.
Bowring, Dr.	Elphinstone, Sir H.
Brotherton, J.	Escott, B.
Brown, W.	Etwall, R.
Cardwell, E.	Floyer, J.
Carew, W. H. P.	Forster, M.
Cavendish, hon. G. H.	Gardner, J. D.

Gibson, rt. hon. T. M.	Pakington, Sir J.
Goulburn, rt. hon. H.	Parker, J.
Graham, rt. hon. Sir J.	Pechell, Capt.
Greene, T.	Peel, rt. hon. Sir R.
Grey, rt. hon. Sir G.	Pigot, Sir R.
Grosvenor, Lord R.	Plumridge, Capt.
Hamilton, W. J.	Price, Sir R.
Hanmer, Sir J.	Pusey, P.
Harris, hon. Capt.	Reid, Sir J. R.
Hatton, Capt. V.	Rich, H.
Hawes, B.	Rutherfurd, rt. hon. A.
Herbert, rt. hon. S.	Seymour, Lord
Hervey, Lord A.	Sheil, rt. hon. R. L.
Hill, Lord M.	Sheridan, R. B.
Hindley, C.	Smith, J. A.
Houldsworth, T.	Somerset, Lord G.
Howard, hon. C. W. G.	Somerville, Sir W. M.
Hudson, G.	Spooner, R.
Hutt, W.	Stuart, H.
James, Sir W. C.	Sutton, hon. H. M.
Jervis, J.	Tancred, H. W.
Jones, Capt.	Thornely, T.
Labouchere, rt. hon. H.	Tower, C.
Langston, J. H.	Towneley, J.
Le Marchant, Sir D.	Troubridge, Sir E. T.
Lemon, Sir C.	Vane, Lord H.
Lincoln, Earl of	Wakley, T.
Loch, J.	Walsh, Sir J. B.
Lygon, hon. Gen.	Ward, H. G.
Macaulay, rt. hon. T. B.	Wawn. J. T.
M'Donnell, J. M.	Wood, rt. hon. C.
Marjoribanks, S.	Wood, Col.
Martin, J.	Wood, Col. T.
Maule, rt. hon. F.	Worsley, Lord
Mitchell, T. A.	Wortley, hon. J. S.
Morris, D.	Young, J.
Mostyn, hon. E. M. L.	
Muntz, G. F.	TELLERS.
Norreys, Sir D. J.	Tufnell, H.
Ogle, S. C. H.	Craig, W. G.

List of the NOES.

Allix, J. P.	Lascelles, hon. E.
Arkwright, G.	Lowther, hon. Col.
Bellew, R. M.	Manners, Lord J.
Beresford, Major	Morgan, O.
Broadley, H.	O'Brien, A. S.
Broadwood, H.	Packe, C. W.
Burrell, Sir C. M.	Palmer, R.
Christie, W. D.	Richards, R.
Deedes, W.	Scrope, G. P.
Denison, J. E.	Sibthorp, Col.
Denison, E. B.	Smith, rt. hon. R. V.
Fitzroy, Lord C.	Stuart, J.
Forbes, W.	Strutt, E.
Forman, T. S.	Trotter, J.
Frewen, C. H.	Vyse, R. H. R. H.
Fuller, A. E.	Warburton, H.
Heathcoat, J.	
Henley, J. W.	TELLERS.
Hodgson, R.	Hume, J.
Horsman, E.	Wodehouse, E.

House in Committee. On Clause 1,

CAPTAIN PECHELL, with a view to protect from removal the industrious poor who had laboured in towns, moved, in line 7, after the word "parish," to insert the words "who has maintained himself therein by his industry, or been a householder therein."

SIR G. GREY said he had conferred with the Attorney General respecting the Amendment proposed, and they both thought that it would tend to restrict the operation of the Bill within undue limits, and that it would give rise to extensive litigation. The practical operation of the Bill would be of the nature contemplated by the hon. and gallant Captain. The effect of his Amendment, however, would be, that all those who resided in one parish and had worked in another would be exempt from the operation of the Bill. He could not give his consent to the Amendment.

MR. V. SMITH said, it had been repeatedly complained of, as a great hardship upon ratepayers, that poor persons who lived in their parish, but who walked some four or five miles to their labour in another parish, should be chargeable upon the parish in which they resided, and not upon that in which they worked. He hoped the Attorney General would endeavour to introduce some words into this Bill to render it what it was originally designed to be—a measure connecting irremovability with industrial residence. He called upon the learned Attorney General to define the meaning of the term "residence." The right hon. Baronet the Member for Dorchester (Sir J. Graham) had, on a former occasion, promised to define the expression, but he had not done so; and he (Mr. V. Smith) considered, that if the right hon. Gentleman and the law officers of the Crown hesitated to give such a definition, it was rather hard to expect justices of the peace to define this very indefinite expression.

MR. HENLEY urged upon the Government the absolute necessity of introducing into the Bill some words to show whether, by the term "residence," actual residence or constructive residence was meant. This ought to be done, as well in justice and fairness to the poor themselves, as to those who would be called upon to administer the law. If the indefinite expression "residence" was to be retained, undoubtedly great litigation and hardship would be occasioned from the uncertainty of its construction. A poor man might be removed to a parish where it was alleged he had gained a settlement; the order might be disputed; the case, probably, after being decided by the court of quarter-sessions, would be taken into the Queen's Bench, and the parties would be fortunate indeed if they obtained the decision of that court

in less than two years. But what was to be done during this interval with the poor man whose case was the subject of dispute, and who would be left nearly in a similar position with Mahomet's coffin? He considered this a subject which deserved the serious attention of the law officers of the Crown.

SIR J. GRAHAM said, before the learned Attorney General answered the appeal which had been made to him, he might perhaps be allowed to say a few words on this point. When he (Sir J. Graham) first introduced this measure, he added to the word "reside," the words "or shall have maintained himself therein as a labourer, mechanic, servant, or tradesman." But having maturely considered the propriety of adhering to these additional words, and having consulted the law advisers of the Crown on the subject, after full and deliberate consideration he came to the conclusion that it was advisable to withdraw them; and on re-introducing the Bill he adopted that course, because he feared that the introduction of those words, so far from removing ambiguity, would give rise to additional difficulties and increased litigation. The definition now proposed to be inserted in the Bill by the hon. and gallant Member (Captain Pechell) was almost identical with that to which he (Sir J. Graham) had just referred, and he considered that it was open to the same objections. Indeed, this point was one of immense difficulty, for if they attempted a definition, whatever terms they might use were open to cavil and objection. Under these circumstances he thought the wisest course was to adhere to the use of a particular term which had long been known to the law of England, and which had been interpreted in innumerable cases. It was true, as had been stated by the right hon. Home Secretary, that there could be no doubt the right interpretation of the term "residence" was industrial residence; but that term "industrial residence," though well known to the law of Scotland, was unknown to the law of England. A remark he had made on a former occasion, that irremovability was equivalent to settlement, had excited some comment. That, however, was the case in effect; for the only difference between irremovability and settlement was this—that irremovability conferred no hereditary right, while settlement conferred the right to relief upon the children of the party who obtained a settlement. They had legislated on the subject with reference to Scotland in the last Session of Parliament; they had passed an Act for amendings ome of the ancient provisions of the law of Scotland. Now, since the first introduction of a Poor Law into that country, in the reign of Charles II., a residence which in common parlance was there termed an "industrial residence," had conferred the full right of settlement. But although the term "residence" was admitted by the law of Scotland to mean industrial residence, yet in framing the measure to which he had just alluded, the late Government did not attempt to introduce that definition into the Bill, but they used throughout the measure, the largest term, "residence." Therefore, although the term "residence" was construed in Scotland to mean an industrial residence, no definition of that kind was introduced into the Bill. All the existing heads of settlement in England, without exception, required residence as one of the ingredients. A settlement under the old head of hiring and service, which no longer obtained in this country, was gained by forty days' residence; apprenticeship, which still existed, required a residence of forty days. A residence for the same period was required to establish a settlement by the rental of tenements. Settlement by estate required a residence of forty days in the parish where the estate was situated, or at least a residence within a distance of ten miles from the estate; settlement by the payment of rates and taxes, and by serving public offices, also required a residence of forty days. It was the invariable practice, when a settlement case was brought by appeal before courts of quarter-sessions, for the courts to put such a construction upon this term "residence" as on the whole they might think reasonable. To that extent the court was intrusted with a discretionary power. He (Sir J. Graham) had pointed out the difficulty, if not the impossibility of a strict definition of the term; and he contended that the safest course was to adhere to a term which had long obtained in our law, and upon which the courts had put their interpretation. For more than a century the courts of this country had put their interpretation upon the term "residence;" the courts of quarter-sessions and the Court of Queen's Bench had given decisions on the question in innumerable cases; and he hoped that, until some stronger arguments were adduced on the other side, the Committee would think it expedient to adhere to the

word "residence," without attempting any definition of the term.

The ATTORNEY GENERAL said, that it was undoubtedly the intention of the Government to retain this term "residence" in the Bill, without attempting to give any definition of it. His right hon. Friend the Home Secretary (Sir G. Grey) and himself had given close attention to the subject; they were aware that considerable difficulty must arise in the construction of this term; but after mature consideration they arrived at the conclusion that by attempting to define the term, they would only render its meaning more doubtful. The courts of quarter-sessions and of Queen's Bench had, in innumerable cases, put their interpretation on the word; and he considered, in revising this Bill, that the safer course was to follow the precedents which were to be found in our own law, and in the Scotch Act to which the right hon. Baronet (Sir J. Graham) opposite had referred, and to adhere to the term "residence."

Mr. P. SCROPE thought that if the Legislature could not, when called on, explain the meaning of the words it made use of, that circumstance would open the door to great litigation. He thought, therefore, that they should determine what was the meaning of the words used.

Sir R. PEEL considered that the words employed in the Bill implied industrial residence; but if they attempted to define that, they would introduce more doubt than they could create by the simple adoption of the words in the Bill, with respect to which there existed a legal construction. What was meant by industrial residence must be left to the equitable interpretation of those who had to decide on the matter. The gallant Officer (Captain Pechell) proposed to introduce the words "who has maintained himself therein by his industry, or been a householder therein;" but those words were as doubtful as the words in the Bill, and would give rise to much question. Therefore he agreed with his right hon. Friend on this subject; and, considering that there had been a legal construction of the term "residence," and that, let them use what words they might, there still must be a wide discretion left to those who had to decide on the matter, he thought it wise to adopt that precedent which existed in the Scotch Act, or they would subject the point to greater doubt than would prevail by allowing the word "residence" to remain; and deciding that that should give the right to relief. If they were determined to pass no law exempting the poor from removability until they discovered some words free from doubt, he was afraid that they would be obliged to give up the attempt; and he knew of no words which more excluded doubt than the words in the Bill.

Mr. HENLEY said, that if by the words in the Bill actual residence was meant, he was of opinion that the talk about the irremovability of the poor was all nonsense; for how could a poor man, or any one else, prove that he had slept for five years in one parish? He would suggest that the decision of the two magistrates who made the order should be final on the point.

Amendment withdrawn.

Bill went through Committee.

House resumed. Bill to be reported.

House adjourned at Eleven o'clock.

HOUSE OF LORDS,

Friday, July 24, 1846.

Minutes.] Public Bills.—1ª. Gauge of Railways. 3ª. and passed. Coal Whippers (Port of London).

Petitions Presented. From Cirencester, for the Adoption of a Measure making the Landlords of Tenements where the Rents are under £6 liable to the Poor Rates.—By Lord Campbell, from Blackburn, and several other places, in favour of the Small Debts Bill.—From Public Carriers, praying that the Recommendation of Her Majesty's Commissioners for Establishing a National Uniformity of Gauge may be carried into effect.—From Guardians of the Bradford Union, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.

THE ST. ASAPH AND BANGOR AND MANCHESTER DIOCESES BILL.

The Earl of POWIS moved the Order of the Day for resuming the Adjourned Debate on the Motion that the Bill do pass.

The Marquess of LANSDOWNE said, he had stated to the House upon a former occasion, with respect to this Bill, that his own impression was, that the tenor of the Bill being entirely permissive, it did not appear necessary that the consent of the Crown should be asked. If the Crown thought fit, it was at liberty to do so and so. Upon this ground he thought that the Crown would not be in the same position as it would have been under the other Bill. He had, however, requested his noble Friend to delay the last stage, and he had thought it the most wise and prudent course to obtain the consent of Her Majesty; and he was authorized on the part of the Crown not to oppose any obstacle to the further progress of the Bill.

Bill passed.

ADMINISTRATION OF JUSTICE IN THE CITY OF LONDON.

LORD BROUGHAM presented a petition from a most respectable person in the city of London, complaining of a practice repugnant to the pure administration of justice; he meant that of magistrates entertaining questions before them which they had by law no more right to entertain, than they had to enter into any of their Lordships' houses and seize upon their property. This was formerly a practice existing not only in the city of London, but in the city and liberties of Westminster and the borough of Southwark. While he had held possession of the Great Seal, he took the opportunity, seeing the evil, to call the attention of his noble Friend (Lord Melbourne) then Secretary of State for the Home Department, to these practices; and he had, as the matter was manifestly in the department of his noble Friend, asked him seriously to represent to the magistrates of the city of Westminster—he having no power over the magistrates of London, who were corporate magistrates merely — the great grievance and inconvenience to which this practice led. The evil which invariably resulted from the entertaining of complaints, or of requests for advice by a magistrate, might not at first be apparent; but it was always to be remembered, that when a man came before a magistrate, he not only told a story for himself, but he told a story against another man, and so far injured that man. And this story was not only heard by the magistrate—that would not much matter—but it was heard by others—by the public in the court, and by those who reported for the newspapers, and who, for aught he knew, reported very correctly; so that when a man spoke against his neighbour, that neighbour being absent and unable to reply, the slander, if it were a slander, went all over the country. He would give an instance of this—and indeed he might find thousands, for it had become a regular and ordinary proceeding to come before a magistrate, as it was called, "to complain and to take advice." A noble Lord, now dead, a very dear friend of his, and who had held a high judicial station, had made an unfortunate marriage; and, on his death, his widow was left in great pecuniary difficulties. With very great benevolence and generosity, the Prince Regent issued a certain sum of money to two noble Friends of his (Lord Brougham's) to be paid to this lady at the rate of 40*s.* a week; for, such were her habits, and so improper were her associations, that it was impossible to give her the whole sum at once; and the condition of trust was, that only 40*s.* a week should be paid. But this did not satisfy the lady; and when she wanted more money, she went before a city magistrate for advice, and to him she told her story. It was bruited over the three kingdoms, and the tale went as she had told it, that these two noble Lords wrongfully held possession of the funds granted out of the public purse—though in reality by the private munificence of the late King George IV.; that they withheld the money from her, and that they applied it to their own particular purposes. And—would it be believed?—the then Lord Mayor, instead of saying, as he ought to have said, "Go about your business," heard the whole story out, and then said, "The woman tells a consistent story. Is it to be endured that these two noble Lords, wallowing in wealth, shall take this miserable pittance of the bounty of the nation from this helpless widow, and apply it to their own uses?" And, of course, with the story went the authority—*valeat quantum*—and that was not much, of this Lord Mayor, charging these noble Lords with embezzlement. This might be an extreme case; but many believed it, and did believe it to this day, and the story was put in one of the black lists against the House of Lords. In another case a charge was brought before the Lord Mayor against a noble Duke for unjustly keeping a poor man out of a farm in the county of Northumberland, worth 150*l.* a year; and the Lord Mayor told the person, "Go to his grace, and let him know my opinion upon his conduct." Instances of a similar kind formerly occurred in the city of Westminster, and in the borough of Southwark, as well as in the city of London; but his noble Friend effectually put a stop to the evil, by notifying to the magistrates there that they would be struck out of the commission of the peace if they were again guilty of such conduct. Since 1831, they had heard no more of such cases in Westminster; but in the city of London they continued to this day; and in the petition he now presented there was an instance well deserving of attention. The petitioner, on the 9th of March last, was brought before the Lord Mayor and another Alderman for misdemeanour, a trespass; and after investigating the charge, they thought fit, without any legal authority whatever, to adjudge a fine of 20*l.*, or

if that were not paid or could not be paid, imprisonment and hard labour for two months. Now, that was utterly and absolutely illegal; it would have been just as legal had they ordered him to be hanged. This man had no friends in London; but a relation in Scotland went before one of the Judges of the superior courts of Westminster, who being made aware of the petitioner's case, directed him to be set at liberty forthwith. But then the petitioner had been illegally fined, he had been illegally imprisoned, and he had no redress, no compensation, unless he were to bring an action; and in that there would be a difficulty, inasmuch as it would be said, that though this magistrate had no right to inflict that amount of punishment, he yet had a jurisdiction over misdemeanour. He (Lord Brougham) sincerely and heartily hoped that a very long time would not elapse before they saw a thorough reform in the police, and of all that was connected with police, in the city of London, and that it would be put on a footing with Westminster and other places. He considered that the administration of police in the city of London was exceedingly hurtful, and tended much to impede the due administration of justice.

THE INDIAN VICTORIES.

The LORD CHANCELLOR acquainted their Lordships that he had received two letters addressed to the Lord Chancellor from Viscount Hardinge, the one dated the 10th of May, and the other the 25th of May.

"Simla, 10th May, 1846.

"My Lord—I have had the honour to receive your Lordship's letter of the 9th March, conveying to me the Resolutions of the House of Lords, which I have communicated to the Commander in Chief, General Sir Hugh Gough, G.C.B., and to the several General Officers referred to therein.

"The Expression of the Approbation of the House of Lords is an Honour highly valued by the General Officers, Officers, and Soldiers, European and Native, of the Indian Army employed in the late Operations against the Sikh Nation.—With the utmost Esteem and Respect, I have the Honour to be, my Lord, your obedient Servant,

"H. HARDINGE.

"The Right Hon. the Lord Chancellor."

"Simla, 25th May, 1846.

"My Lord—I have had the Honour to convey to the Commander in Chief Lord Gough, G.C.B., to Major General Sir Harry Smith, Bart., G.C.B., to the General Officers, Officers, and Troops of the Army of the Sutlej, the Thanks of the House of Lords, which have been unanimously voted to them for the Victories of Aliwall and Sobraon.

"During the same Session of Parliament this is the Second Occasion on which it has been my good Fortune to convey to the Army of the Sutlej the Thanks of the House of Lords.

"This Honour, so promptly and so unanimously voted, is a Reward highly valued by our Countrymen serving Her Majesty in India, as well as by our Fellow-subjects the Native Troops of the Indian Army, who recognize in the Vote the Proof that their Services are acknowledged and esteemed by their Sovereign, the House of Lords, and their Fellow-subjects of Great Britain.—I have the Honour to be, my Lord, your Lordship's very obedient Servant, "HARDINGE.

"The Right Hon. the Lord Chancellor."

The same being read, was Ordered to lie on the Table; and to be entered on the Journals.

House adjourned.

HOUSE OF COMMONS,

Friday, July 24, 1846.

MINUTES.] NEW MEMBERS SWORN. For Roscommon, The O'Conor Don.—For St. Ives, Lord William Powlett.

PUBLIC BILLS.—1°. Saint Asaph and Bangor and Manchester Dioceses.

2°. Militia Ballots Suspension.

Reported. Exclusive Privilege of Trading Abolition (Ireland); Prisons (Ireland); Grand Jury Cess Bonds (Ireland); Mandamus (Ireland); Taxation of Costs (Compensation for Lands) (Ireland); Adverse Claims (Ireland); Books and Engravings.

3°. and passed. Baths and Washhouses; Commons Inclosure (No. 2).

PETITIONS PRESENTED. By Mr. Plumptre, from Protestant Parishioners of the Parish of St. Mary's, Donnybrook, for Alteration of Law respecting Curates (Ireland).—By Mr. Cowper, and Mr. Plumptre, from several places, for the Adoption of Measures for promoting the Due Observance of the Lord's Day.—By Mr. Plumptre, from Inhabitants of Brailsford, for Repeal of Maynooth College Act.—By Mr. Plumptre, from several places, against the Roman Catholic Relief Bill.—By Mr. Hume, from Rango Bapojee, Agent to His Highness Pertaub Sing, the deposed Rajah of Sattara, for Inquiry.—By Mr. Cripps, Mr. Plumptre, and Lord Rendlesham, from several places, for Rating Owners of Small Tenements to the Poor Rates, in lieu of Occupiers.—By Sir Charles Napier, from Bradford and Huddersfield, for Inquiry into the Anatomy Act.—By Sir Thomas Troubridge, from Thomas Earl of Dundonald, for Inquiry into the Merits of an Invention of his.—From the City of Dublin, against the Abolition of Guilds.—By Mr. Mark Philips, from Hulme, against the Highways Bill.—By Sir Robert Price, from Ratepayers of the Parish of Dorstone, for Repeal or Alteration of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By several hon. Members, from various places, for the Suppression of Promiscuous Intercourse.—By Mr. Sharman Crawford, from Holywood, for Abolition of Capital Punishment.

SUGAR DUTIES CONTINUANCE BILL.

House in Committee. On the Question, that the blank in the first clause be filled with the words "the 5th day of September, 1846,"

LORD G. BENTINCK moved, that the 5th of July, 1847, be substituted for the 5th of September, 1846; the effect of his Amendment would be to extend the opera-

tion of the Bill for eleven months instead of one. His object in moving the Amendment was not to obstruct the Government in any way, but to facilitate their movements; his Amendment would not interfere with any permanent measure, if the Government should still see fit to introduce it; but if, upon further consideration, Her Majesty's Ministers should defer till another Session the permanent settlement of the Sugar Duties, this change in the date of the Bill would give them an opportunity of so doing, whilst it would be a great relief, and an act of mercy and justice, if they gave to the small producers a respite from the measure proposed by Her Majesty's Ministers. As to any apprehensions of a sugar famine, they were as visionary as those of a famine in corn. He had taken the liberty of stating on a former evening that the quantity of produce likely to come from the Mauritius in the ensuing year was 60,000 tons, instead of the quantity of 40,000 or 50,000 tons estimated by his noble Friend the First Lord of the Treasury. Since these estimates were made to the House, the overland mail from India had arrived, bringing intelligence from the Mauritius, as the result of the present year, that 46,000 tons had been actually shipped; and estimates were given in the papers of the Mauritius that not less than 60,000 tons would be shipped in the ensuing year 1846-7. Supposing that 2,000 tons would go to the Cape of Good Hope, there would be 58,000 tons to be sent to this country. He presumed that the fine season, which had had the effect of producing this enormous quantity of sugar in the Mauritius, extended also to the East Indies; and then the quantity he took on a former night as the produce from the East Indies would be understated. So that, instead of the quantity of sugar on hand on the 5th of July next year being the smallest, it would probably be the largest which had ever been known in this country at the same period of the year. It was not his intention then to go into the general question in the absence of his noble Friend the First Minister of the Crown; but he thought he had shown sufficient reason for asking Her Majesty's Ministers to pass a Sugar Duties Continuance Bill, on the same principles and terms as the last, for eleven months, in order to afford to the merchants in the sugar trade in the East Indies, the Mauritius, and the West Indies, a small chance of escaping from the ruin which he feared would overtake a great number of wealthy and substantial men if the measure of Her Majesty's Ministers should pass, and the present duties be renewed only for one month.

The CHANCELLOR OF THE EXCHEQUER admitted, that it would be better not, in any way, to go into the general question of the Sugar Duties, or into the probable demand and supply of sugar, and he would confine himself simply to the Bill before the House. He believed that every one was agreed—and certainly every communication received by Her Majesty's Government, whether official or private, agreed—that it was most desirable, as soon as possible, for the question of the Sugar Duties to be permanently settled. He believed that all parties agreed in this—whether they supported the proposal of Her Majesty's Ministers, or whether they went further or not, all, even the West Indian body themselves, desired that there should be a permanent settlement. They all knew the term meant by a permanent settlement; and he did not believe that any one in or out of that House believed that the present Sugar Duties could remain on their existing basis; the proposal of the noble Lord, therefore, would defeat the very end he had in view; for it would leave the permanent settlement untouched for a long time, and instead of being a boon would be an injury. On Monday next it was the intention of Her Majesty's Government to go on with the question of a permanent settlement, and he hoped their measure would receive the support of the House; but the extension of the present duties for a period of eleven months would be a great misfortune, instead of a great blessing, to the parties most interested.

SIR R. H. INGLIS would not enter into the general question; but there was nothing in the proposition of the noble Lord the Member for Lynn which would at all interfere with the ultimate decision of the House on the proposition of the noble Lord the First Minister of the Crown. The Bill did not omit the usual clause, that it might be amended or repealed, in the present Session of Parliament; and if it were not amended or repealed, the only effect would be that it would give to the Government a little more time for consideration, and to the trade a little more breathing time. The proposition could do no harm in his own view of the case; and if the Government were to have the triumphant majority of which they boasted (though he

thought they were grossly deceiving themselves) in favour of the proposition of the noble Lord, the present Amendment would not in any manner vitiate that decision. If, however, that proposition should not be carried, the amended resolution would secure the continuance of the existing duties to the 5th of July next; and there was no one who would deny the importance of continuing the Sugar Duties as a source of revenue. He therefore urged the House to adopt a proposal which, according to his views, would do good, and, according to the views of the Government, could do no harm.

Mr. LABOUCHERE said, all that the Government wanted was that the question should be fairly laid before Parliament, and should be fairly discussed on its own merits; and they had, therefore, a perfect right to object to this measure as prejudging the question. It might also produce an impression that the House was not about to settle this question permanently, and that the Parliament was unwilling to enter into the serious consideration of the Sugar Duties with a view to their final and satisfactory arrangement. All knew the effect which uncertainty had produced during the last five years, and that there was nothing so much required as a final and permanent adjustment. Although he admitted that the Amendment would throw no technical obstruction to the permanent settlement, yet there would be a moral effect, and an impression would be made on the public, and commercial interests would be prejudiced.

The House divided on the Question, that the blank be filled with the words, "5th day of September, 1846:"—Ayes 121; Noes 38: Majority 83.

List of the Ayes.

Aglionby, H. A.
Antrobus, E.
Archbold, R.
Baring, rt. hon. W. B.
Barnard, E. G.
Barron, Sir H. W.
Beckett, W.
Bellew, R. M.
Berkeley, hon. C.
Berkeley, hon. Capt.
Bernal, R.
Blackburne, J. I.
Bouverie, hon. E. P.
Bowring, Dr.
Brotherton, J.
Brown, W.
Buller, E.
Byng, rt. hon. G. S.
Carnegie, hon. Capt.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Christie, W. D.
Clements, Visct.
Clerk, rt. hon. Sir G.
Clive, hon. R. H.
Cockburn, rt. hn. Sir G.
Colebrooke, Sir T. E.
Courtenay, Lord
Craig, W. G.
Crawford, W. S.
Cripps, W.
Denison, J. E.
Dennistoun, J.
Dickinson, F. H.
Duncan, G.
Duncannon, Visct.
Duncombe, T.
Dundas, Adm.
Egerton, W. T.
Ellice, rt. hon. E.
Elphinstone, Sir H.
Escott, B.
Esmonde, Sir T.
Estcourt, T. G. B.
Etwall, R.
Ewart, W.
Ferguson, Sir R. A.
Fitzroy, hon. H.
Fleetwood, Sir P. H.
Flower, Sir J.
Forster, M.
Gibson, rt. hon. T. M.
Gill, T.
Gore, hon. R.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Grey, rt. Sir G.
Grosvenor, Lord R.
Guest, Sir J.
Hamilton, W. J. C.
Hastie, A.
Heneage, E.
Hervey, Lord A.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Hogg, J. W.
Horsman, E.
Hume, J.
Hutt, W.
James, Sir W. C.
Jervis, J.
Kemble, H.
Labouchere, rt. hon. H.
Langston, J. H.
Layard, Capt.
Lemon, Sir C.
Lincoln, Earl of
Loch, J.
Macaulay, rt. hon. T. B.
Mangles, R. D.
Martin, J.
Martin, C. W.
Maule, rt hon. F.
Morpeth, Visct.
Morris, D.
Mostyn, hon. E. M. L.
Napier, Sir C.
Norreys, Sir D. J.
O'Connell, D.
O'Conor, Don
Oswald, J.
Parker, J.
Pattison, J.
Peel, rt. hon. Sir R.
Peel, J.
Philips, Sir R. B. P.
Philips, M.
Plumridge, Capt.
Price, Sir R.
Rutherfurd, A.
Seymour, Sir H. B.
Sheil, rt. hon. R. L.
Sheridan, R. B.
Smith, J. A.
Smith, rt. hon. R. V.
Somerset, Lord G.
Spooner, R.
Stuart, Lord J.
Strutt, E.
Sutton, hon. H. M.
Thornely, T.
Trench, Sir F. W.
Troubridge, Sir E. T.
Wakley, T.
Ward, H. G.
Wawn, J. T.
Wilshere, W.
Wood, rt. hon. C.
Wood, Colonel T.
Wortley, hon. J. S.
Wyse, T.

TELLERS.

Cowper, hon. W. F.
Rich, H.

List of the Noes.

Allix, J. P.
Austen, Col.
Baillie, Col.
Baillie, H. J.
Bankes, G.
Benett, J.
Boldero, H. G.
Codrington, Sir W.
Dick, Q.
Disraeli, B.
Douglas, Sir H.
Du Pre, C. G.
Floyer, J.
Fuller, A. E.
Grogan, E.
Henley, J. W.
Hildyard, T. B. T.
Hodgson, R.
Houldsworth, T.
Hussey, T.
Jones, Capt.
Lygon, hon. Gen.
M'Clintock, W. B.
Miles, P. W. S.
Miles, W.
Newdegate, C. N.
O'Brien, A. S.
Packe, C. W.
Pakington, Sir J.
Palmer, R.
Powlett, Lord W.
Rolleston, Col.
Round, J.
Stuart, J.
Trollope, Sir J.
Waddington, H. S.
Wodehouse, E.

TELLERS.

Inglis, Sir R. H.
Bentinck, Lord G.

Bill went through Committee. House resumed. Bill to be reported.

THE STATUE OF THE DUKE OF WELLINGTON.

On the Motion that the Order of the

Day for the House to resolve itself into a Committee of Ways and Means, be now read,

MR. CRAVEN BERKELEY said, he had hoped that the subject of the Motion of which he had given notice for that evening would have been taken up by a more influential Member than himself, and by one whose opinions would have been more regarded; but he considered the question was of so much importance that he had no hesitation in bringing it under the notice of the House. The real facts of the case were these: a number of individuals subscribed a very large sum of money for the purpose of erecting a testimonial of the military services of the Duke of Wellington; and the committee, without consulting anybody, or the majority of the subscribers, at once decided that the arch at the top of Constitution-hill was the best place on which to erect an equestrian statue of the noble Duke. That had produced the greatest dissatisfaction on the part of a great number of the subscribers; and in order that the House might be in possession of their opinions, he would read a few extracts from the correspondence that had taken place upon the subject, containing the remonstrances that had been made to the committee at the work having been commenced. The hon. Member accordingly read a letter addressed to Lord Melbourne by the sub-committee on the 8th of August, 1838—

"Requesting that Her Majesty's Government will suspend their consent to any plan which may be submitted for their approval until the whole question shall have been considered at a full meeting of the committee, and, if necessary, at a general assembly of the subscribers."

He knew that his noble Friend opposite would tell him that he was bringing on this Motion too late, and that he should not have allowed the works to have progressed so far as they had: but the Papers upon which he founded this Motion had only been moved by the hon. Baronet the Member for Oxford on the 29th day of June last, and were not in the hands of hon. Members until the 11th of the present month. He had taken every opportunity since then of endeavouring to bring this matter before the House, but had not been able, for many reasons. Not that he was going to call in question the conduct of his hon. and galland Friend whom he then saw behind him; but the person whose conduct he did impugn was the First Lord Commissioner of that day, Viscount Duncannon, who had no right to give his consent to the erection of the statue in the blind manner he did. It was, in his opinion, impossible to imagine anything more inartistical or in worse taste than to place a statue of the kind in the situation proposed. The hon. Member read an extract from a statement made on June 8, 1845, by Mr. Decimus Burton, the architect of the arch, to the Earl of Lincoln, in which he said—

"The Wellington Testimonial is a single equestrian statue of colossal dimensions, viz., about 30 feet high; its weight, exclusive of the plinth, about 40 tons. It would not be a satisfactory surmount for the arch; colossal as it is, the horse, when placed on so huge a pedestal, would present an appearance far too meagre and tall for the situation. Proportion and unity of design are the first and most important elements in a work of art; both of these would be wanting in this instance if such a statue were placed upon the arch. The fact that the monument was not the design of one and the same artist, would strike the most casual observer."

He would not trouble the House with any more opinions of architects; no one artist whose opinion had been taken but had condemned it in the strongest terms possible. There happened to be in this country last winter a most distinguished foreign architect, M. Canina, an Italian gentleman, the Pope's architect, and he was perfectly astonished at the idea of placing the statue on the arch, and said that if it were carried out it would be the "*disgrazia d'Inghilterra.*" But he gave great credit to the noble Lord lately at the head of the Woods and Forests, and to his predecesor, for the endeavours they had made to prevent the intended plan being carried into effect. Lord Canning, in writing to the Duke of Rutland, said—

"I feel sure, therefore, that your Grace and the committee will not suppose that, in submitting for your consideration the proposal which I have now to make in the name of Her Majesty's Government, there is any wish to call in question the right of the committee to claim, as they have done, the performance of a promise made to them in 1838 by the Government of the day, or their undoubted liberty to act upon that promise, by applying the arch to the use for which it was then thought proper to concede it to them. At the same time it is my duty to state to your Grace, that the remonstranees which reach Her Majesty's Government against the proposed appropriation of the arch are so many and so strong; the representations of its architect, Mr. Burton, in the same sense, are so earnest; and the opinion of every other eminent architect, artist, or other competent authority who has been consulted on the subject, is so decided—that Her Majesty's Government feel called upon not only to make a final effort to induce the subscribers to reconsider the project of placing the statue on the site at present proposed,

but to do all that lies in their power to facilitate a change in the design."

It was quite plain that the committee refused to change their design. Then he said, that that House was called upon to interfere. They must remember that the arch upon which it was proposed to place this statue was the chief entrance to the palace of the Queen; it stood also at the entrance to this city; it was built at the public expense; and the House of Commons had a right to say they would not be made the laughing-stock of foreigners, as they certainly would if they allowed the statue to be erected as was proposed. He should therefore move—

"That an humble Address be presented to Her Majesty, praying Her Majesty to withdraw Her Consent to the placing of the Statue of the Duke of Wellington upon the archway at the top of Constitution Hill."

MR. BAILLIE, in seconding the Motion, said that when this subject was last discussed in that House, it was stated that there was no authority for placing a statue in the position in which it was proposed to place this statue; and, in answer to that, the hon. and gallant Officer the Member for Scarborough said, that as the Duke of Wellington was the greatest general in the world, so it was quite unnecessary to follow the ordinary rules of art in placing a monument in so extraordinary a situation. He could not understand the force of that argument; but it occurred to him that in all probability the gallant Officer had been studying the works of the ancient Egyptians, and had seen in the curious pictorial representations they had left us, that it was the practice of the ancient artists of Egypt to confine themselves within the strict rules of art in their representations of ordinary men, but to allow themselves the fullest scope of imagination in their representations of the great heroes and conquerors of antiquity. But he must do his gallant Friend the justice to say that he did look out for an authority; for, in a letter which his hon. Friend had published in the *Illustrated London News*, he informed the world, that upon a voyage of discovery which he had made in the agricultural districts, he had been fortunate enough to discover a great authority. Over a lodge gate, at the entrance of a gentleman's park in Hampshire, he had seen a statue of Marcus Aurelius placed in the same position, and that was a perfect and conclusive authority. His hon. and gallant Friend might have remembered that the lion on the top of Northumberland-house was placed in the same position also; but his hon. Friend must forgive him if he said that neither the one nor the other could be looked upon as a classical authority. A monument was about to be erected to one of our greatest men. It was constructed of imperishable materials—it was the greatest equestrian statue in the world, and was calculated to remain for ages yet to come, not only as a monument of the great man whom it was intended to represent, but also as a monument of the taste and knowledge of the fine arts existing amongst the people of this country in the age in which they lived; and that consideration ought to induce the Government to pause before they gave their sanction to the further progress of a work which, according to the best authorities that had been consulted in this country, did not possess, as every one must admit, that first and most essential requisite in a work of art—unity of proportion and design. Moreover, it was stated by those great authorities to be a most striking error to convert a triumphal arch into a pedestal for a statue. He, therefore, said that, considering the report which had been made to the Woods and Forests on this subject by artists and men of eminence; considering also what was the opinion of the late Government, and he believed of the present Government, it was somewhat indecent on the part of the committee that they should be determined still to exercise what they called their right to prosecute a work which they knew to be distasteful to the public.

VISCOUNT MORPETH said, with respect to his own private judgment, from which even official responsibility could not separate him, he partook to the full in the misgivings which had been expressed by the two hon. Gentleman, and by his two noble predecessors in the office which he had the honour to fill, and which, he believed, he might add, had been backed by very many and competent professional authorities; and, although they found that the consent and authority of the preceding Government had been signified to the persons who wished to erect this statue, to place it in the situation proposed, and that some progress had been made in the actual work, and some expense already incurred; yet he confessed that, even at that moment, he did wish very much that those who represented the subscribers could persuade themselves to accede to the offer made to them by the Government, to pro-

cure another site, and, if they did, he would assure them that no pecuniary difficulty should stand in the way. At the same time, he did not feel that he should be warranted in interfering in the work. He had only further to mention, that the only piece of the correspondence which was deficient from that which had been presented to the House, was the last letter from Mr. Burton, the architect of the arch, in reply to the last letter in the collection submitted to the House from the Commissioners of the Woods and Forests, in which they requested Mr. Burton, after carefully examining the plans and sections of Mr. Wyatt for strengthening the arch, to inform them whether he were perfectly satisfied that thay were such as would insure the perfect safety of the arch. He had only received the answer of Mr. Burton that morning, and he would read it to the House :—

"6, Spring-gardens, July 24, 1846.

"My Lord and Gentlemen—I beg leave to acknowledge the receipt of the Board's letter (No. 3,380) of the 23rd ult., transmitting the plans and section prepared by Mr. M. Wyatt of the works in the superstructure necessary to bear the equestrian statue at the required elevation above the top of the arch at Constitution-hill, and desiring me to examine these, and to consider those measures proposed to be adopted in their execution ; and to inform the Board whether I am satisfied that they are such as will insure the perfect safety of the arch ; and to state that, on the 24th ult., I accompanied Mr. Wyatt to inspect the works, and I again inspected them yesterday, when I found Mr. Wyatt there. As I stated in my letter to Viscount Canning of the 16th of April last, transmitting to the Board these plans and sections, which I had procured for the purpose from Mr. Wyatt, the works proposed by them appear to me to be such as will insure the safety of the arch, and protect it against injury ; presuming that proper precautions be used in the erection of the scaffolding, the execution of the masonry, and the raising of the statue itself. I find that no portion of the proposed stone pedestal is yet built. The scaffolding by which the statue will be raised is partly erected ; but, although now about eighty feet high, it has yet to be heightened about twenty feet. It cannot be denied that some difficulty and risk will attend the raising an equestrian statue of thirty to forty tons weight above 100 feet above the street, and when there in running it along a railway, carried on timbers of that great height ; but, so far as I have yet seen, Mr. Wyatt and his men are taking every precaution to prevent an accident.—I have the honour to be, my Lord and Gentlemen, your most obedient and humble servant, "DECIMUS BURTON.

"The Right Hon. and the Hon. the Commissioners of Her Majesty's Woods, &c."

SIR F. TRENCH said, his hon. Friend who had opened this case had made a most grievous mistake, for when those noblemen and gentlemen who formed the committee made an application for permission to erect the statue, no objection was made either to the statue or to the site. The only objection that was made was as to the mode of selecting the artist. It was a mere contest who was to be the artist. The arch was decided upon as the site ; Her Majesty had given Her consent, accompanied by the observation that it would give Her pleasure, whenever she came out of Her palace, to see the statue of so great a man in so beautiful a situation ; and all the money that was subscribed by the public was subscribed for the specific purpose of erecting a statue of the Duke of Wellington on that arch. When the proposal was made last year for an alteration of the site, the committee took into their consideration what was their duty with regard to the public who had subscribed the money; and they were of opinion that they could not adopt another course than that which was at first resolved upon. In May, 1838, the committee received the first communication from Lord Melbourne, stating that he had applied to the Queen to obtain Her consent to the erection of the statue ; and on the 1st of June Her Majesty received the chairman of the committee, and gave Her consent. On the 9th of June a meeting of the general committee was held, at which the consent of Her Majesty was notified. On the 16th of June the whole of the sub-committee waited upon the Duke of Wellington, announcing what was intended to be done, and expressing their "fervent prayer that he might live through many and many a long year to see from his own windows a proud testimonial of the gratitude of an admiring country." And on the 22nd of June and on the 3rd of July letters were sent from certain noblemen to the chairman, both expressing their disapprobation, not of the statue or the arch, but of the mode of selecting the artist. A meeting of the general committee was held, in conformity with the wishes of Lord Melbourne, the result of which was that the proceedings of the former committee were confirmed, only one individual raising any objections to the site or the statue. The committee also consulted the then Attorney General to know what their obligations were, and he gave it as his opinion that the committee had no power to do anything than carry into effect what they were pledged to do to the public. The House of Commons had nothing to do in the

matter, and the committee were doing the best in their power to carry into effect the design of the subscribers. The Earl of Aberdeen, a nobleman competent to give an opinion on the matter, said, in 1839, respecting the effect of making an alteration in the nature of the memorial—

"The decision on the 28th of May was to have an equestrian statue on the arch at the Green Park, if Her Majesty gave permission so to do; and I think if proceedings of this kind are ever to have any validity, or to be binding at all, that if anything is settled, that resolution that we should have an equestrian statue must be considered as finally settled. I apprehend that we might as well now decide that we would have no memorial at all for the Duke of Wellington, as to question the decision, confirmed as it was by a subsequent meeting of the general committee, that the memorial should be an equestrian statue upon that arch."

Lord Palmerston was the only member of the committee who expressed an opinion against placing the statue upon the arch. It would be an act of great injustice if the House interfered in the manner now proposed. It would also be an act of great disrespect to the Crown, if Her Majesty, after having given Her solemn pledge in favour of a particular plan, should be called upon, after the committee had spent a considerable sum of money, to throw all their proceedings over, because certain Gentlemen of the House of Commons chose to condemn it.

Mr. EWART said, the committee had taken a legal opinion, but it would have been much better if they had taken an artistic opinion on the subject. The committee had consulted the subscribers and their architect; but they ought also to have consulted the public taste, which was decidedly against them. He had never heard any person speak well of the site selected by the committee.

Sir R. H. INGLIS said, his single difficulty was that the Queen had given Her consent to a particular point, and that the House of Commons, if they adopted the Motion, would ask Her Majesty to withdraw that consent. But the House had the right to say—*Rex male advisatus est;* and a Queen might be badly advised as well as a King. It was, therefore, competent for the House to call on Her Majesty to withdraw Her consent, as if it had never been granted. He had fought gallantly under the banner of his hon. and gallant Friend (Sir F. Trench) in defence of wax candles, but he could not agree with him on this question. He believed that, if the opinion of the House were taken *seriatim*, it would be found to be almost unanimously against placing the statue upon the arch. It would be one of the greatest monstrosities in the metropolis.

Sir F. TRENCH being the only member of the sub-committee present could not take upon himself to say what they would do. But he had a strong impression that a majority of the House entertained different impressions from them. All the subscriptions were received for a particular purpose, and he did not think the committee would be justified in appropriating them to any other. But he had no objection, if that would be satisfactory to the House, to lay before the sub-committee what he understood to be the opinion of the majority of the House.

Sir G. GREY hoped the hon. and gallant Member would be suffered to proceed. The judgment of the House had been unequivocally expressed, not only by hon. Members who had spoken, but also, and still more strongly, by the absence of any advocacy of the proposed site except that of the hon. and gallant Member. He would admit that after reading the correspondence he had a strong opinion on the subject, and though he might be disposed to go with the hon. and gallant Member to a certain extent, he inferred from the few observations he had just made, that he would be prepared to state to the sub-committee the opinion of the House. It would be unreasonable, under such circumstances, not to listen to the statement of the hon. and gallant Member.

Sir F. TRENCH said, the right hon. Gentleman had truly interpreted his feelings. He adhered to his opinions respecting the site, but he would not place his opinion against that of the House. He would state his own opinion freely, that the pedestal and statue on it would have a most magnificent effect. It would be impossible for him without communicating with the committee to make any change or any concession. But if the House would wave the question for the present, so as to give him the opportunity of consulting his colleagues, he would state to them either that it would be desirable to acquiesce in the wishes of the Government, or to put it to the House whether they ought not to have nothing to do with the matter.

Viscount MORPETH said, the hon. and gallant Member had met the feeling

of the House in a proper spirit, and he hoped an opportunity would be given him of consulting with his colleagues, the Government putting a stop to the works until further proceedings were determined on.

MR. C. BERKELEY had no objection to withdraw his Motion, on the understanding that no part of the works were to be proceeded with.

VISCOUNT MORPETH said, the works would be entirely stopped until the committee had signified their assent to the suggestions of the Government, or, failing that, until the opinion of the House had been taken upon it.

Amendment withdrawn.

House in Committee of Ways and Means, when a formal Resolution was adopted.

The House resumed. Resolution to be reported.

AMERICAN MAIL STEAM-PACKETS.

On the Question, that the Order of the Day for the House to resolve itself into a Committee of Supply, be read,

MR. P. MILES moved, as an Amendment, for a Select Committee to inquire into the circumstances connected with the granting of the present contract for the conveyance of the mails from England to Halifax and Boston, and also into the circumstances connected with the granting of any new, or the extension of the existing contract for the same purpose. The hon. Member said it was impossible that the country should be satisfied with the contracts made with the Cunard line. The performances of the *Great Western* and *Great Britain* steam ships were well known, and it was important to the mercantile community that they should still run. Yet, although the Government had been in the habit of receiving letters and despatches by these vessels, the company to which they belonged had never received a farthing for the service. It was in his opinion of the greatest consequence that competition should be encouraged, and that the most ample opportunities of communication should be afforded between Liverpool and the United States. The effect of competition had been to reduce the passage-money between this country and North America from 40*l.* to 30*l.*, and 25*l.*; but he would venture to say, that if the Great Western Company's ships were now withdrawn, the passage-money would be at once raised to 40*l.* The public interests demanded an investigation into this case; for the public had a right to know why so large a sum of money was expended on an undertaking which was not open to public competition. He considered that it was most unjustifiable to add payments of 10,000*l.* or 5,000*l.* to the original contract, without acquainting the public with the reason for such augmentation. He maintained that an inquiry ought to be instituted into the actual expense of this communication, in order that, when the existing contract expired, the Government might have some data upon which to proceed in making future arrangements. He would venture to assert that the Great Western Company would continue the communication at an outlay much below that which was now incurred by the country; that company was ready to undertake the contract for a much less sum than was now paid; and he therefore called upon the House to assent to his Motion for a Committee of Inquiry on the subject.

MR. HENRY BERKELEY, in rising to second the Motion, assured his hon. Friend that he had great pleasure in at length being enabled to stand side by side with him in manful opposition against monopoly. From hon. Gentlemen opposite (the late Ministers), he knew he ought to receive support, for they had proved themselves stout anti-monopolists; and of all species of monopoly none appeared to him so objectionable, or so detrimental to the public interests, as monopolies in contracts. He considered that the present system of requiring tenders in cases of this kind was a most fictitious and illusory system; and he was the more inclined to think that there was something bad and rotten in that system, from the circumstance that the Great Western Steam Company had been excluded from all these contracts. He must claim the indulgence of the House, if, as the representative of the city of Bristol, he supported the Motion of his hon. Friend with some warmth, for he felt that great injustice had been done to a company whose schemes had been carried out with great spirit, and which deserved as well of the country as any company in the kingdom. He would venture to say, indeed, that no other company in the kingdom had carried out works equal in magnitude and importance to those effected by the Great Western Steam Company. That company was established in 1838; and if they had reason to be proud of the Great Western

Railway, they had equal reason to be proud of the magnificent terminus to that railway which had been created to continue the communication to America, viz., the *Great Western* steam ship. That vessel performed the voyage to America, and solved the important problem whether the difficulties of navigating the Atlantic were to be overcome by the power of steam. The Great Western Company was the first company to build steam vessels of the magnitude which, it was now admitted, was necessary for steamers intended to undertake long voyages. Indeed, all the improvements which had taken place in Her Majesty's navy, and in the commercial marine, with reference to steam ships, were attributable to the example set by this company, which was the first to build steam vessels of sufficient magnitude to cope with the turbulence of the Atlantic. The company followed up their first step by building, on the novel principle of the screw, the largest steam ship in the world, the *Great Britain*. That vessel was deemed almost a national undertaking; she was visited by persons, not only from every part of England, but from many parts of Europe. Her launch was deemed by his Royal Highness Prince Albert an occasion worthy of his attendance; and Her Majesty the Queen visited this grand specimen of naval architecture on her arrival in the Thames. At the time of the Canadian outbreak, when the speedy conveyance of despatches was of the utmost importance, the first intelligence of the disturbances was brought by the *Great Western;* and the celerity with which that vessel performed the voyages out and home, was most advantageous to Her Majesty's Government, by enabling them to keep up a constant and rapid communication with the colonial Government. He might observe, also, that the Great Western was the vessel which brought the earliest intelligence of the suppression of the outbreak; and what was the last performance of that noble vessel? When the right hon. Baronet the late First Lord of the Treasury came down to that House, and, on resigning office, made the proud declaration that the Government had concluded a Treaty with the United States on the Oregon question, he was enabled to make that statement in consequence of the celerity with which the despatches of our Minister in the States were conveyed to this country by the *Great Western*. The *Great Britain*, the sister vessel to the *Great Western*, also brought home the earliest news of the ratification of that Treaty. It appeared to him that a parallel might be drawn between the fate of the right hon. Baronet (Sir R. Peel) and that of these splendid vessels—both one and the other were discarded at the very time when they had proved themselves most useful to the country. Hon. Gentlemen would probably remember that it had been stated, that in an interview which took place between the late Chancellor of the Exchequer and a deputation who waited upon him, that right hon. Gentleman declared that the Government had been compelled by the terms of the original contract to give all future contracts for the North American mails to Mr. Cunard. [Mr. GOULBURN: No, no!] Well, then, the right hon. Gentleman had inferred as much. He defied that right hon. Gentleman to show, from any Papers laid before the House, that such an engagement existed, unless it had been made in the last contract—that of 1846. New York was not mentioned in any of the former contracts; but it now appeared that by some conceived understanding — for there was nothing on the face of the Papers to prove such an understanding—Mr. Cunard, who had the Boston and Halifax contract, claimed a right to the contract for the whole of North America—that was, from Boston to Louisiana and Alabama. He considered this a most monstrous case. He maintained, that contracts of this kind ought not to be given away without competition, to the exclusion of a company which had at least as strong claims as any other upon the country. Tenders should be demanded to encourage a fair spirit of emulation, and contracts given without favour to those who would do the work on the most reasonable terms. Without saying one word which could be offensive to Mr. Cunard, or which could reflect on the mode in which that gentleman executed his contract, he must protest against contracts of this kind being made in such a hole-and-corner manner as seemed to have been the case in this instance. He considered that his hon. Friend was fully entitled to ask for the appointment of a Committee to investigate the subject; and he was persuaded that before such a Committee much light would be thrown upon the mode in which these contracts had been made and carried out, which would be advantageous not only to the company whose interests he supported, but to the public.

MR. GOULBURN said, as the contract

with Mr. Cunard had been entered into under his advice while he held a responsible situation under the Crown, he thought it right to state the circumstances of the case, and he would then leave the House to decide what course they might think proper to adopt. In order that the House might clearly understand the subject, it would be necessary for him to state the whole of the proceedings with respect to the conveyance of the mails to North America. He should feel great regret if injury had incidentally been done to the Great Western Steam Company, or to any other company engaged in the traffic with North America by any public transaction; but he was satisfied, if the House would attend to the statement he was about to make, they would be convinced that such an arrangement had been effected as had been considered decidedly most advantageous for the public interests. They would admit, that that arrangement had not violated the just rights of any individuals, and that if individuals had sustained injury, it was in consequence of an arrangement which was indispensably necessary for the proper conduct of the public service. In the year 1838, it was judged advisable to attempt to establish a communication by steam for the conveyance of the mails across the Atlantic, and a general tender was then publicly advertised, calling upon any parties who might be inclined to undertake the service to send in tenders for its execution. The service to which he referred was the conveyance of mails between England, Halifax, and Nova Scotia, and between England, Halifax, and New York. In reply to that advertisement, two propositions only were made—one by the Great Western Company, and the other by the St. George's Company. The details of those tenders were given in the Papers which had been laid before the House; and the House would observe, that neither tender fulfilled the conditions advertised. Neither of those companies was prepared to execute the service with vessels of the size and strength, or with engines of the power required by the Board of Admiralty. Those tenders, therefore, fell to the ground, and there was an end of any arrangement in that case. Shortly after that period Mr. Cunard, a spirited inhabitant of one of the North American Colonies, came forward, and made a proposition to the Government to supply three vessels of 300 horse-power each, for the purpose of conveying the mails once a fortnight to Halifax and Boston, and also up the St. Lawrence, for 55,000*l.* a year, a sum somewhat below that required by one of the companies which had formerly tendered. It was found, on considering the subject, that three vessels of that particular size and strength would not be adequate to the proper fulfilment of the required duty; and, therefore, an alteration was made in the first contract by a second contract, under which Mr. Cunard was to provide four vessels of 300 horse-power each, and a corresponding augmentation was to be made in the payment. At a later period, however, the difficulties of navigation during the winter were judged to be so great, that Mr. Cunard said he feared vessels of 300 horse-power would not be adequate to the safe conveyance of the mails across the Atlantic; and he made a proposal to the Government, which they agreed to, that instead of four vessels of 300 horse-power each, five vessels of 400 horse-power should be employed. The Government annexed to that contract the condition that the vessels should be so built that, in the event of a war, they would be capable of carrying guns of the heaviest calibre, and of being employed against a hostile Power. In consideration of this augmentation in the number and power of the vessels, an increase was made in the payment to Mr. Cunard, and it was determined that he should receive 80,000*l.* for twenty voyages to be annually performed by vessels of the description agreed upon. Mr. Cunard's accounts for the former contract had previously been submitted to the Admiralty, that they might be enabled to form an accurate estimate of the proper charges for the service he had undertaken; they were examined most minutely by a most faithful and efficient public servant, the Accountant General of the Navy, and the additional payment made to Mr. Cunard, in consequence of the augmentation he had mentioned, was founded upon the report of the accountant. A condition was inserted in the contract which he would read to the House. The right hon. Gentleman read the conditions under which Mr. Cunard covenanted, that on receiving nine calendar months' notice in writing from the Board of Admiralty, or such shorter notice as might be agreed upon, he would provide and constantly employ in conveying the mails, from the date of the expiration of such notice and subsequently, such an additional number of similar vessels as in the opinion of the Admi-

ralty would be sufficient to perform twice the number of voyages to, from, and between all the ports of embarkation and delivery of the mails, or to such other places and ports as the Board of Admiralty might appoint. The contract of 1841 stipulated not only for the conveyance of the mails twenty times in a year, but gave the Admiralty a power of calling upon Mr. Cunard at nine months' notice, or less, to provide the vessels necessary for the conveyance of the mails double the number of times specified in the original agreement, for a payment equal to that which he received under the former agreement; and thus, from 1841, Mr. Cunard stood in this situation, that he was engaged by the Government to carry the mails to North America twenty times in the year thenceforward, and as much oftener (not exceeding double that number) as the Government might require, during the period of the contract. Afterwards, upon a statement made in that House, the House consented to make an addition of 10,000*l.* a year to the contract, in consequence of a fifth vessel being applied to this service by Mr. Cunard, who, upon an examination of the accounts, had proved the deficiency of the former allotment; but the Government subsequently withdrew from that a sum of 5,000*l.*, in consequence of the withdrawal of Mr. Cunard's obligation to keep up a certain number of vessels for the service in the St. Lawrence. Before the year in which the contract complained of was entered into a discussion arose as to the best mode of conveying the mails to the North American Colonies; and in 1845, he (Mr. Goulburn) believed, an arrangement was made with the American Government, which had been for some time under consideration, for conveying across the United States, in closed boxes, the mails which were to go to our Colonies there; and under that arrangement it became advisable that the mails should be taken by New York, instead of by Boston. A great pressure also was made upon the Government to double the number of communications between this country and North America; and under these circumstances, looking to the previous contract with Mr. Cunard, in which he was under engagement, when required, to go double the number of voyages, the Government entered into correspondence with him for the purpose of establishing that weekly communication with our Colonies there during the summer months, and fortnightly during the winter, which would give forty-four communications in the year. It was upon that contract that the present question had arisen. Many circumstances made it most important that these repeated communications should take place. The former expenditure under the contract had, in fact, been no expenditure to the public; for, by means of Mr. Cunard's regularity and industry, the postage received upon the letters to and from the North American Colonies, more than defrayed the 90,000*l.* a year payable to him; it was a gain to the public, notwithstanding the extent of the payment—a gain principally caused by his insuring what no other contractor had ever then, or even up to the present moment achieved—a regularity of steam communication across the Atlantic, not merely during the five months when the voyages were more easy and certain, but during the winter months. The Great Western Company had studiously avoided sending their vessels across the Atlantic during those months which every one knew to be most difficult and dangerous, and in which principally the risk of any undertaking to cross the Atlantic existed. It was the duty of the Government to take care that the public were served on the best possible terms, and they did not propose to Mr. Cunard to give him to the full extent to which he might have been entitled by doubling the number of voyages; but they reduced the amount, so that instead of 180,000*l.*, to which he would have been entitled under the contract of 1841, they gave him 145,000*l.* for forty-four voyages; and in order that the Government might transmit the mails with most convenience to all parties interested in the regular conveyance and delivery of letters, they allowed him to make alternate voyages to Halifax and New York, subject to a power in the Government, in case of necessity, to divert him to the one point or the other; and, having established a communication across the United States, by New York, it would have been idle indeed to establish a mail that did not alternately embrace both these. The hon. Member had stated, that the payment to Mr. Cunard was 4,500*l.* a voyage. [Mr. P. MILES: I stated that it had been that amount.] But if the hon. Member would look at the figures, he would find that it was 3,290*l.*, in fact. It was proposed in the other tenders that the payment should be in the one case, 3,750*l.*, and in the

other 4,500*l.*; and therefore, upon the question of economy, Mr. Cunard had a superiority over every other offer. But Mr. Cunard had from the commencement of his contract executed it with a fidelity and regularity which, considering all the difficulties of his position, were indeed most extraordinary: during the whole period, the winter months as well as the summer, he had fulfilled his contract with a regularity not to be exceeded by any mode of conveyance unattended with difficulty in any part of the world. Mr. Cunard having thus proved to all what no other company had ever yet proved—that it was possible to maintain this communication regularly during the winter; and having, therefore, a claim upon the public, that if the letters were to be conveyed twice as often, he should have the carrying of them, there did not appear to him (Mr. Goulburn), looking to the best mode of conducting the public service, to be room for hesitation in giving to Mr. Cunard the additional contract, offering as he did lower terms than any previously offered; and under that gentleman's able management and administration, he had little doubt that the increased amount of postage which would flow to the public from these additional communications, would more than compensate for the additional payment which was to be made. But the hon. Member complained that the Great Western Company was not included in the arrangement, and that the Government did not maintain two separate lines across the Atlantic for carrying the North American mails. Why, what must necessarily have been the effect of that? Was it not obvious that the employment of two companies for accomplishing the same object would have been more expensive to the public, and probably less effective, even supposing them both able to face the difficulties of the undertaking? But the Great Western Company had never attempted to cross the Atlantic during the winter months. The latest period when they ever sailed from any port was November the 6th, and the earliest date at which they commenced their voyages was in April; from November to April that company had made no attempt to face the difficulties of navigation through the ice. These difficulties were never faced by any one but Mr. Cunard; and therefore, having overcome them, he was fairly entitled to a preference, and had, under the terms of his agreement, a claim to the first offer of an additional contract of this description. Nor let the House be deluded by supposing that the Great Western Company were thereby deprived of the opportunity of making the profits in this traffic upon which they had calculated. There was an American company on foot for establishing, from New York to certain ports in Europe, a communication by large steam vessels calculated to run with the British vessels employed upon that and other North American stations; the profits of the Great Western Company would necessarily have been affected by that, and the whole communication with America might have been materially injured if there had been a divided contract. The terms awarded to Mr. Cunard, however, were, in comparison with those of the new company, favourable to the public. But he (Mr. Goulburn) did not believe that this competition would prove injurious to the companies embarked in it. The effect of increased facility of communication was not that the number of passengers remained stationary. The additional regularity, the power of going any fortnight during the winter across the Atlantic with a moral certainty of safety, must be to increase the number of those who travelled; and the Great Western Company would find that the introduction of another competitor into the line carrying the mails, would not diminish their profits more than temporarily, but would rather give an additional incitement to a constant traffic with America, and enable them in the months during which alone they crossed the Atlantic to obtain a share of the additional traffic which must take place in the summer months. One other point must be mentioned. By the terms of the contract with Mr. Cunard, and by the power under it of diverting the course of the vessels to the ports of the North American Colonies, provision was made for the efficiency of the system during war as well as in peace; and though certainly there was no apprehension of any hostilities taking place to interfere with the peaceable transmission of letters, yet this was an advantage not to be overlooked in entering into a public contract. Such were the facts of this case. Mr. Cunard was not backed by any powerful influence in that House. He was a native of one of our North American Colonies; and it would have been much to be regretted, if, in deference to interests in this country, any unfairness or injury had been done to him, after executing this service with a regularity which had excited the ad-

miration of every one, and showing in all communications had with him, a spirit of fairness and liberality highly honourable to him.

LORD CLEMENTS hoped it would be an instruction to the Committee to consider whether it would not be preferable to have the packets to Halifax start from the western coast of Ireland—the nearest point to America.

MR. CHRISTIE felt a strong impression of the excellence of the arrangement sanctioned by the late Chancellor of the Exchequer; but he had overlooked one strong point in the case. It had been stated, and not denied, that this contract was signed by the late Government two days after they had tendered their resignations, and while only holding office until their successors were appointed; and yet, previous to these resignations, this arrangement, which was known to be in contemplation, had been discussed and disputed in the House, and the Government were asked whether they would undertake that this contract should not be signed until certain Papers then moved for had been laid on the Table. The answer to that question, he believed, was deferred to a subsequent day. It seemed now that the Great Western Company also went to the noble Lord (Lord J. Russell) and asked from him an assurance that the contract should not be signed till the House and the public were in possession of further information, and that the noble Lord gave that assurance. This being unexplained, there ought to be a Committee to inquire into the circumstances under which the contract was signed.

MR. GOULBURN said, that he stated distinctly, on the question being put to him, that whether the contract was signed or not, it had been substantially made before he was asked the question, and only required the mere formality of signing to be complete.

MR. SPOONER said, that the consequence of entering into this contract was, that it was utterly impossible for the *Great Western* and *Great Britain* steam ships to run in competition with the Government packets; because the sum paid to the Government packets was so large, that the others, from the want of similar aid, could not keep on the line, and thus the advantage gained by the manufacturing districts from competition in the lowering of the rate of freights was lost. The right hon. Gentleman said that Mr. Cunard's ships crossed the Atlantic during the winter months; but the reason of that was that he was well paid for so doing, and the others could not do the same, because they were not paid. Paying one set of packets a large sum for carrying the mails destroyed competition; and the fair way would be to offer others a share in carrying the mails. This might be done without additional expense, as the different companies might carry the mail alternately. There was not the least accusation against Mr. Cunard for the manner in which he carried out his contract; for he had performed it with great punctuality; but that was no reason why the country should be deprived of the benefit of competition. The whole of this contract had been entered into otherwise than by public tender; and he thought that all Government contracts should be made by public tender. The Government had advertised for tenders for carrying the mails to Boston and Halifax; and two tenders were sent in, neither of which came within the terms of the advertisement. The terms were then altered; but the Government concluded the contract without offering those terms to the public. He thought that a case was made out for granting a Committee of Inquiry.

MR. GISBORNE thought the answer given by the right hon. Gentleman (Mr. Goulburn) to the question of the right hon. Member of Weymouth, as to the signing of the contract, was satisfactory; but under all the circumstances of the case, he should feel bound to vote for a Parliamentary inquiry, in order that the public might be satisfied that the Government had done the best for the general interests.

MR. M. PHILIPS did not wish to express any decided opinion, because he was not in possession of sufficient information. He saw the difficulty in which the Government had been placed; and when they entered into a contract for the safety and security of the transmission of letters across the Atlantic by steam communication, they wisely and properly took care to err on the right side, and to choose vessels of proper power and size. Hence arose the first difficulty. A modification of the provisional arrangements, he understood, took place; but there appeared only one party able to conform to the rules and suggestions of the Government, and the contract was accordingly placed in the hands of that individual. He believed that Mr. Cunard had performed his duty to the letter, and the commer-

cial interests were greatly indebted to him for the accurate and safe manner in which that duty had been discharged. It was obvious, however, that any other individual was deprived of the power of performing the same duty unless similar advantages were granted him. This, then, did give to the transaction a certain aspect of monopoly, though he was aware that the contract must be given to one individual; for he differed from the hon. Member for Birmingham, who thought that the contract ought to be divided. He was anxious that this Committee should be granted, in order that the commercial interests should feel assured that they had been properly attended to; but he did not mean to let fall one word against the perfect good faith with which Mr. Cunard had carried out the contract.

SIR R. PEEL sincerely hoped that no objection would be made to the appointment of this Committee. He should decidedly vote for inquiry. The Treasury gave this contract to Mr. Cunard, not only because they felt that he, a person without any interest whatever, had strong claims on the Treasury for rendering important public service, but also because they thought that at the period at which the original contract was entered into, engagements were formed which entitled Mr. Cunard to this indulgence. It was said that the contract was signed after the resignation of the late Ministers had been tendered; but it must be borne in mind that they had all the power to conduct the public business, and, the contract being made, there was an obligation in honour to sign it. He was perfectly confident that the Government succeeding the late Government would, had the contract been left unsigned, have signed it, under the impression that the public faith was pledged thereto. It was a mere formality whether the late or the present Lords of the Treasury executed the deed; but it would have been a shabby act in the late Government to shrink from the responsibility of signing the contract, leaving that duty to the hon. Gentlemen opposite, who might be unaware of all the circumstances which had previously taken place. Even supposing that there had been an error, he was sure that that House would respect public faith, and take care that Mr. Cunard should not be a sufferer; and of this he was perfectly certain, that if in any case any sort of question should arise out of a public contract, it was the duty of the department making that contract to facilitate inquiry, Feeling, therefore, that the interests of Mr. Cunard would be protected, he claimed inquiry on the part of the Treasury. He hoped, therefore, that there would be no opposition to the appointment of the Committee, and at any rate, he would give his vote most cordially in favour of its appointment.

The CHANCELLOR OF THE EXCHEQUER was understood to say that he had no hesitation in speaking to the propriety of the contract in question. The hon. Members for Bristol and Birmingham had said that all contracts should be made by public tender. On the whole that was the right principle; but it could not be adopted universally, and it sometimes happened that the Government was obliged to return to the system of private arrangement. When the first attempt was made to establish steam communication with our North American Colonies, independent of the United States, the Government called for tenders for carrying the mails to Halifax. At that time the only steamboat likely to run acros the Atlantic was the *Great Western*, and that ran to New York, and then the words "New York" were put in the advertisement tenders, for the purpose of not excluding the *Great Western*. But the answers to the advertisement were not such as the Government felt justified in accepting. Very soon afterwards Mr. Cunard, who was perfectly well known as engaged for a considerable time in public affairs connected with Nova Scotia, came to Mr. Baring, and to him, he being then Secretary to the Admiralty, stated his desire, for the sake of the Colony in which he was interested, to undertake the communication; and he thought it not only important to connect the Colony with this country by steam communication, conducted by the most active person in the Colony, but he also thought that the offer of Mr. Cunard was a very advantageous offer for the public, infinitely more advantageous than the other tenders received. The most advantageous previously received was for 45,000*l.* a year for a monthly communication; but Mr. Cunard tendered for 55,000*l.* for a fortnightly communication; and subsequently a further sum of 5,000*l.* was given for the addition of a communication up the St. Lawrence to Quebec, making the whole amount of the contract 60,000*l.*, including the communication with Quebec. That was better than any other tender, and was the most beneficial bargain that could then

be made for the public. It was to some extent experimental; because the only steam vessels that had then crossed the Atlantic were the *Syrius* and the *Great Western*. There was however, great difficulty in keeping up the communication in the winter months, on account of the weather and the ice; and a relaxation of the contract was allowed on that account, and instead of the vessels being obliged to go once a fortnight all the year round, in the winter it was permitted that they should go only once a month, that was to say, they went once a month for four months in the year, and twice a month for the other eight months. Mr. Cunard had performed the service he had undertaken most creditably to himself, and also with the greatest advantage and profit to the public. It was, he believed, the only line of communication with distant countries where the postage on letters more than defrayed the expense. He certainly thought Mr. Cunard had a fair claim to the contract, which was an exceedingly beneficial one to the country, the rate of carrying being 460*l.* per voyage lower than the lowest tender that could be got when first put up. He had not the remotest wish to throw any reflection upon the Great Western Company. That company, he thought, deserved well of the public for sending at their own cost large vessels across the Atlantic; and whatever might be the result of the present question, he should be sorry that any injury should be done to that company. Nevertheless, this was not to prevent Government making the best bargain for the public. It was not the duty of Government to consider whether one company or another was entitled to obtain the contract, but what was the best arrangement for the public service; and he believed that the arrangement made was decidedly the best. As to the time at which the contract was signed, it was in reality all arranged before the resignation of the late Government was settled; and whether it was signed two days before or two days after that resignation, was really a matter of no moment. Most undoubtedly, if he had found the contract arranged by the late Government, and not signed, he should have considered it his duty to sign it. It had been stated by the hon. Member for Bristol that a deputation had waited upon the noble Lord at the head of the Government, requesting that if the contract was not signed it should not be so till an inquiry took place. The noble Lord at that time did not know the fact that the contract had been signed, and agreed to the request of the deputation. If the gentlemen, however, had waited upon him, he could have told them that, at the time they asked for delay and inquiry, the contract had been already signed. He was satisfied with the whole transactions; but he would be the last person to object to the fullest inquiry being made, and he believed that any Committee of that House could not but come to one conclusion—that the public had throughout obtained the benefit of the best arrangement that could have been made. He was quite ready to go into Committee on the question, and perhaps the hon. Gentleman would allow this to be done at once.

Mr. P. MILES said, he would now withdraw his Motion, on the understanding, as stated by the right hon. Gentleman, that the Committee would be granted.

Motion by leave, withdrawn.

MILBANK PRISON.

Order read. On the Question that the Speaker do now leave the Chair,

Mr. T. S. DUNCOMBE rose to direct the attention of the House to the petition which, on a former occasion, he had presented from Edward Baker, preferring serious complaints against the governor of Milbank Prison, and representing great abuses in that establishment, both in the management of its affairs, and as regarded cruelty and oppression towards the prisoners. Three years ago, this prison was under the charge of a Committee, but was then placed under the superintendence of the Secretary of State for the Home Department, a governor, and three inspectors. If complaints of the existence of abuses of a serious character were brought forward, therefore, the House ought very jealously to look into the nature of those complaints, and ascertain on what foundation they rested. He would not give all the allegations contained in the petition, but would bring only some of the principal ones before the House. The petitioner was a warder in the prison from September, 1842, till April, 1846; had an unexceptionable character, there being no complaint whatever against him; but, he stated that, in consequence of the oppressive and tyrannical conduct of the governor, Captain Groves, towards prisoners and officers, he was obliged to resign his situation. The petitioner stated, and he was prepared to prove, that the treatment pursued towards prisoners had led to suicides in the

prison to a considerable extent. As to the cruelty exercised towards unfortunate prisoners, the petitioner mentioned the case of George Chinnery, who had a fit in the airing-yard, when the governor entering inquired what was the matter? The petitioner replied "a prisoner in a fit;" when the governor said, he was not in a fit, and ordered him to be reported if he had recourse to "any more of these tricks." Afterwards, contrary to the opinion of the person having charge of the prisoners, and without the opinion of any medical man being taken, the governor sentenced the poor prisoner to three days' bread and water allowance. The answer to this charge he believed was—that the prisoner had, on a former occasion, been confined in Milbank, and was then punished for feigning fits; whereas, it could be shown that when the prisoner was formerly in the prison, he was placed in a cell next to the warden's room, because he was subject to fits and required to be looked after. Now, here was a case of a man unjustly punished, because he had the misfortune to be seized with a fit. It was also alleged by the petitioner that prisoners were punished by the governor for reading their Bibles during the sermon in chapel; that they were punished by being sentenced to a bread and water allowance for seven days, though, by the rules of the prison, the governors had the power of imposing only for three days bread and water diet. Now, if it could be proved that this man had sentenced any party to seven days' bread and water diet, he held that an illegal and oppressive act had been committed. It appeared also, that in certain cases he ordered one days' full rations at the end of three days' bread and water, and then ordered the bread and water to be resumed. He knew that this would be denied, but he was prepared to prove it. Another charge was the following:—On the 10th of February, 1846, Frederick Bunyon was sentenced to receive 100 lashes with the cat. He was taken down after receiving 70 lashes, and it was then ordered that he should receive no instruction, either religious or moral, after that date. Now, why the unfortunate man, after suffering severe punishment, should be sentenced to receive neither moral nor religious instruction, he was totally unable to comprehend. It had been said, in defence, that a stone was found about his person, and that he intended injury to some one; but surely that was no good reason for denying him religious instruction. Then, as to the infliction of corporal punishment, he contended that it was wrong to do so within the walls of a prison, and that it should be done away with; the regulations of the prisons with respect to flogging was that the instrument for flogging should be approved of by the inspector, and that the number of lashes should, in all cases, be stated in the order for punishment. It was also a rule that the seal of one of the inspectors should be on the handle of the cat; but in this case, as also in that of another prisoner, the governor, the night before the punishment was to be inflicted, desired one of the officers of the prison to get much heavier lashes for the cat—lashes double the size of those that were put on the handle; and not satisfied with this double weight, he ordered the end of each lash to be tied with waxed cord. This, he contended, made the punishment not less illegal than cruel; and if that man had died under such a punishment, the governor ought to have been tried for murder. This was a most serious charge. When such things were said to be done within the walls of a prison, where the public eye could not enter, nor complaints be heard, it was the duty of the House to make the strictest inquiry into such charges. There was also a gross case of neglect and cruelty towards a convict of the name of Nash, who was draughted from the Pentonville prison, on the 10th of October, 1844, and was removed to the infirmary on the 1st of January, 1845, where he died on the 7th of the same month. This individual, during the short time he was in the prison, was kept on bread and water during twenty-three days; and at the time he was removed to the infirmary, was under a sentence to be flogged. On the 28th of November, a boy, named James Richmond, 10 years old, was received from Edinburgh, and on the 5th of May was removed to the infirmary, where he died on the 22nd of the same month. While in the prison, this boy was, for a certain number of days, confined in a dungeon on one pound of bread and two pints of water per day, having only boards to lie on during the night, with one rug and one blanket to cover him. Such was the punishment imposed upon a boy ten or eleven years of age, who, he believed, died solely from the cruelty of the treatment which he had received. The names of three individuals were given who committed suicide

in consequence of the manner in which they were treated; indeed, he might say there were four who had destroyed themselves in their cells since the present governor had gone there. But that was not all. He was prepared to prove that twelve others had made the attempt to commit suicide, and were only saved by the vigilance of the officer. Another complaint was, that several times a false alarm of fire was raised by the governor at night, when he turned out of bed 100 prisoners for what he called "a fire practice." This was a most absurd practice and highly injurious; for the poor men in the depths of winter were often taken out of their beds from a temperature of 62, and for no other purpose than to exhibit this fire practice for the purpose of entertaining the dinner friends of the governor. Now, this was a most discreditable proceeding, even if the fire practice were necessary, which he denied. There was also in the petition charges of partiality towards some officers, and injustice towards others. He might dwell on this subject to a considerable extent. There were many more charges in the petition; and he knew more than he had mentioned of the atrocities, the barbarities, and the abuses, that existed in the prison; but he thought he had said enough to justify an inquiry. There was a precedent for such a course in the appointment of a Committee of Inquiry in 1823–24. The noble Lord at the head of the Government stated, in his speech lately to the electors of the city of London, that the right treatment of criminals was a problem yet to be solved. Now, an inquiry like this would help to solve this problem. He hoped the right hon. Baronet opposite would grant an inquiry into this subject; and he would undertake to prove, from persons who had witnessed atrocities, that every charge he had made was true. He knew that a report had been made at the Home Office, since the petition was presented; but from whom did that report proceed? It proceeded from the governor himself, and two inspectors, who were themselves implicated in the charges which had been made; and he said that any report from them, in answer to a charge against them, was a perfect mockery. He knew the questions that had been put to the witnesses; and he was told that, whenever a question was put, the answer to which at all favoured the allegations contained in the petition, that question was not pressed any further. In short, that investigation had been conducted in the prison by the governor and the inspectors, and that report, coming from them, was not to be relied on. It was a report that only intended to mystify the Secretary of State, and perpetuate the abuses that prevailed in this prison. He did hope that the right hon. Gentleman would see the importance of granting this Committee. He moved as an Amendment that Mr. Edward Baker's petition (presented June 12), complaining of certain abuses existing in the Milbank Prison, be referred to a Select Committee.

Sir G. GREY hoped that before the House agreed to the Motion, they would allow him to state the course that had been pursued in this case. On the 12th of June, his hon. Friend presented the petition of Edward Baker, containing sixteen charges against Captain Groves, the governor of the prison, for misconduct in his office, extending over a period of several years. On the 15th of June, the petition had been printed with the Votes. On the 16th of June, the Secretary of State had directed a letter to be addressed to the Inspectors of Prisons, transmitting to them the petition as printed, and desiring them to institute a full inquiry into its allegations. In obedience to that desire the Inspectors of Prisons had entered upon the inquiry. The governor of the prison was at that time in France; but he immediately returned to assist the inquiry, and a few days before he (Sir G. Grey) had entered upon the duties of his office, the inspectors presented a report to the Home Office, which contained to each of these sixteen charges a distinct answer, furnished by the governor of the prison. It contained, in addition, a complete copy of the evidence taken by the inspectors. His hon. Friend had insisted that the inspectors were not entitled to much consideration, because they invariably adopted the recommendations of the governor. He could not find the least allegation in the petition against the inspectors; and he was sure that the inspectors stood too high in public estimation to be liable to such a charge. Moreover, their reports, which had been constantly presented to the House, as well as their character, would save them from the imputation of being the tools of the governor. He was now prepared to present their report in a complete form to the House; and it would be for the House to consider, upon an examination of the charges, and the answers to them contained in that report, whether they had

been rebutted or sustained. To appoint a Committee before the House had had an opportunity of reading the report, would be, he thought, at once to condemn the governor and the system. It would be far more satisfactory, he thought, to the House to delay entering upon the question of appointing a Committee of Inquiry until they had read the sixteen charges and the answers which were given to them. He did not wish, therefore, to go into the question then; but he must say one word with respect to the cases of suicide of which his hon. Friend had spoken. If, out of 11,000 prisoners, the convict population sentenced to transportation, and passed through the prison since the establishment of the present system, only four suicides had taken place, that he could not regard as a very large proportion. [Mr. DUNCOMBE: Twelve were cut down.] He could not be prepared to answer cases of which he had not heard before that evening. He could not undertake to speak from personal knowledge, nor to answer charges with respect to which he had no previous intimation; however, he pledged himself to institute a full and complete investigation into these cases. In the meantime, he must say, that if there were only four suicides in three years out of 11,000 prisoners, considering the class from which they came, that was not so large a proportion as to create any great astonishment. With respect to the allegation in the petition with reference to the corporal punishment which was said to have been inflicted by the governor, the fact was that the inspectors, in one instance, had ordered one hundred lashes. That was their sentence. In carrying it into execution, the governor had mitigated that sentence by thirty lashes. His hon. Friend, however, had alleged that the Governor had exceeded his power, and had punished one of the prisoners illegally by using an improper instrument. This should be inquired into. His hon. Friend had also said that the governor had had recourse to these means of gratifying some private feelings of his own. That, if it were true, would be perfectly unjustifiable, and the allegation should certainly be investigated fully. He begged to observe, however, that the first time he had ever heard this charge was from the lips of his hon. Friend just now. That allegation was not in the petition. He was prepared, however, to say that a full inquiry should take place without delay, into that as well as the other allegations, and he was now prepared to lay on the Table the Report of the Inspectors. Under these circumstances, he felt it to be his duty to oppose the Motion of his hon. Friend; and he hoped the House would consent to pause till they had read the Report, and could judge for themselves, before they appointed this Committee.

MR. HUME thought it was greatly to be regretted, if the Report had been three weeks in the Home-office, that it had not been brought forward before this as an answer to the allegations in Edward Baker's petition. At the same time he thought the proposal of the right hon. the Secretary for the Home Department quite fair; and, under the circumstances, he was of opinion that his hon. Friend should not press his Motion at present. If the Report of the Inspectors had been in their hands before this matter came on, it might have saved his hon. Friend the trouble of making his present Motion. At the same time he must say he thought they ought not to shut the door against inquiries such as these. Take the case of the Andover Union for instance. No man could have dreamed, before that inquiry was instituted, of the existence of such horrors and atrocities as were made known by it. He had hitherto supported the Poor Law Commission; and he was mortified, he was disappointed at what he had heard, and therefore he should be suspicious when he heard of inquiries being denied. In this case he could not think that Baker could be blamed for complaining. That part of the charge which related to the whip—the charge, namely, of using an instrument that was not allowed by the regulations of the prison, was alone, in his opinion, a proper subject of charge and of investigation; and if it turned out to be true, he hoped his hon. Friend (Mr. Duncombe) would not remit his exertions to obtain a complete investigation by a Committee. Conduct such as that in the governor of a prison was a sufficient reason, he considered, to cause the withdrawal of the confidence of any Government. He hoped his hon. Friend would take the Report and consider it, and if it were not satisfactory, he (Mr. Hume) should be happy to support him in moving for a Committee.

CAPTAIN PECHELL hoped that his hon. Friend (Mr. Duncombe), who usually took the advice of the hon. Member for Montrose, would hesitate before he took it on that occasion. With his hon. Friend (Mr. Hume), he considered, that but for the

Andover inquiry the public would never have known of the atrocities that were practised under the Poor Law Commissioners at Somerset House, who, he had little doubt, would very soon have to vacate their lodgings in that building. What the right hon. Gentleman (Sir G. Grey) had said showed that some very great reform ought to take place in this prison. If his hon. Friend pressed his Motion, he would support him.

Mr. SPOONER hoped that his hon. Friend would not press the Motion. He admitted that the allegations of the petition ought to be inquired into; but what more could be done in the first instance than what the right hon. Gentleman (Sir G. Grey) had proposed? A few days' delay could do no harm; but, on the contrary, the Motion would have much more weight after the hon. Member had read the Report.

Mr. AGLIONBY thought that, at that late period of the Session, there would be little enough time for going into the investigation before the Committee. He was quite ready to vote for an inquiry, if an inquiry were thought necessary. The discussion of that evening would be known to all the world. The charges made implicated the governor of the prison, and in some degree the inspectors; and he said that for their sakes the House ought to proceed with the inquiry immediately. Taking the case as the right hon. Gentleman (Sir G. Grey) stated it, that the answers contained in the Report amounted to a total denial of the charges to the satisfaction of the right hon. Gentleman, that would not satisfy the House or the public.

Sir G. GREY explained, that he had not stated that a denial had been given to these charges. He had only said that to each of the sixteen charges a distinct answer and explanation was given. He had abstained from offering any opinion of his own on the matter.

Sir R. H. INGLIS thought the House was not in a condition at present to decide whether or not there should be a Committee, and he should support the Government.

Mr. B. ESCOTT could not see why a Committee should not be granted. All were agreed that there should be an inquiry. The only question was, what should be inquired into? He hoped that an inquiry would be granted now.

Mr. CHRISTIE said, that if the Motion of the hon. Member for Finsbury was pressed to a division, he should vote for it without hesitation. He hoped that a Committee would be granted, and the Report referred to them.

The House divided, on the Question, that the words proposed to be left out, stand part of the question:—Ayes 56; Noes 10: Majority 46.

List of the Ayes.

Benett, J.	Hatton, Capt. V.
Bennet, P.	Heneage, E.
Bentinck, Lord G.	Henley, J. W.
Berkeley, hon. Capt.	Hill, Lord M.
Blakemore, R.	Hobhouse, rt. hon. Sir J.
Borthwick, P.	Inglis, Sir R. H.
Bouverie, hon. E. P.	Jervis, J.
Bowles, Adm.	Kemble, H.
Brotherton, J.	Labouchere, rt. hon. H.
Brown, W.	Langstou, J. H.
Buller, C.	Lincoln, Earl of
Clerk, rt. hon. Sir G.	Macaulay, rt. hon. T. B.
Clive, hon. R. H.	M'Clintock, W.
Cockburn, rt. hon. Sir G.	Martin, C. W.
Cowper, hon. W. F.	Moffat, G.
Craig, W. G.	O'Conor Don
Dundas, Adm.	Parker, J.
Ebrington, Visct.	Pigot, rt. hon. D.
Forster, M.	Pusey, P.
Fox, C. R.	Scrope, G. P.
Gill, T.	Somerville, Sir W. M.
Gore, hon. R.	Spooner, R.
Goulburn, rt. hon. H.	Thornely, T.
Graham, rt. hon. Sir J.	Troubridge, Sir E. T.
Greene, T.	Ward, H. G.
Grey, rt. hon. Sir G.	Wood, Col. T.
Guest, Sir J.	
Hamilton, G. A.	TELLERS.
Harris, hon. Capt.	Tufnell, H.
Hastie, A.	Gibson, M.

List of the Noes.

Aglionby, H. A.	Pechell, Capt.
Bowring, Dr.	Tancred, H. W.
Christie, W. D.	Wawn, J. T.
Ewart, W.	
Gisborne, T.	TELLERS.
Hume, J.	Duncombe, T.
Morris, D.	Escott, B.

House in Committee.

SUPPLY—BRITISH MUSEUM.

On the Question, that 45,406*l.* be granted for the British Museum,

Mr. HUME wished to make a few observations on this vote. The sum now moved for was a very large one, especially looking back to what it was when he first came into the House. It had gradually gone up from a few thousands to upwards of 40,000*l.* a year. He thought, therefore, the time had now come for the appointment of a responsible board to manage this large sum. He had had a number of applications to know whether he intended, at present, to notice certain dis-

putes between the librarian and others. He begged to say that this was not his business at present, although he thought it a question which formed part of the management of the institution, and might very properly be noticed. What he wished to call the attention of the House to at present was, the fact of the enormous sum of 45,000*l.* being voted annually for this institution without any control on the part of the House over its expenditure. That was altogether in the hands of irresponsible trustees. Those trustees consisted of three classes, namely, of high official men, of persons connected with families who had contributed to the Museum, and of a certain number of elected persons. (The hon. Member read a list of the trustees.) Now, these were all names of very good men; but the question was, did they attend to the duties which were required of them? He (Mr. Hume) had experience enough of public business to know that where there was a large committee—some members attending one day and some another—no member, perhaps, attending two days in succession, and no subject coming before the same party twice—the result was, that the business fell into the hands of a few individuals, who, under the colour of great and responsible names, did as they pleased. In 1836, a Committee of that House recommended the appointment of a responsible board; but up to this hour no attention had been paid to that recommendation. It was quite true that prompt attention had been paid to another recommendation of that Committee, namely, to increase the salaries of the officers connected with the Museum; but he had yet to learn that any other recommendation had been attended to. It did appear to him, as a protector of the public money, that the House was not acting right in allowing this system to continue. The right hon. Baronet the Secretary of State for the Home Department, on a former occasion, speaking of the Ecclesiastical Commissioners, had stated, that in his opinion a change ought to take place—that a board consisting of so many individuals, acting without any check or control, ought not to be allowed to continue; and the right hon. Baronet had assured the hon. Member who brought forward the subject, that he would attend to subject on an early day. He was sorry that right hon. Gentleman was not then present, or he would have appealed to that right hon. Gentleman to support him on this occasion. He was quite sure that the public expected the appointment of an efficient and responsible body of trustees. The Committee of 1841 unanimously recommended certain alterations; but, except one relating to a cheap catalogue, they had not been attended to. One suggestion was, to abolish the regulation which excluded children under eight years of age from visiting the Museum in charge of their parents or others. This was altogether disregarded, Another was, to do away with the regulation which allowed the Museum to be open on Tuesdays and Thursdays to private parties only, to the exclusion of the general public. This was also disregarded. Why should there be private days in any public institution? Considering that the public servants attended on these favoured individuals, he thought it was high time there should be some change in this respect. Then there was another grievance which, in common humanity and decency, ought long ago to have been removed. There was no convenience of any description throughout the whole building for the public accommodation, and that in a place which, in the course of one day, was visited by no fewer than 32,000 people. It was most discreditable and disgraceful that such a want should remain unsupplied. A question was at one time raised whether artisans would attend if the Museum were kept open after five o'clock. But it had been found that after that hour not more than fifteen persons, on an average, visited the Museum. From the 1st of May to the 1st of September last, there were not more than seven visitors from five to six o'clock, and the number was the same from six to seven o'clock. Yet sixty persons connected with the establishment were required to be in attendance, though the number of visitors at that period of the day was so scanty. Artisans would have leisure to visit the institution, if it were kept open on Sundays and on every day of the week. Whenever the gin-shop opened, he would open the British Museum, and he ventured to say he should succeed in drawing from the ginshop a very large proportion of its visitors. By giving admission to the Museum on Sundays, the trustees would adopt a course in every respect subservient to morality and good order. If the Museum were closed between five and seven o'clock during the week in the summer season, he ventured to say that the officers of the establishment would be most happy

to attend on Sundays. The public expected that the Government would adapt the management to the circumstances of the time. Another suggestion he had to make was, that the number of trustees should be reduced. Where there were forty or fifty managers, the business was never managed well. High salaries were given to officers who had comparatively little to do, and there was no principle of promotion in the establishment. Strangers were brought in from patronage and favour, and men who had been fifteen years in the establishment found that they had very little chance of rising. Many of those employed there, indeed, were receiving less salaries than a common labourer. No man ought to be in the institution without an allowance sufficient to insure the continuance of his services, and without a prospect of promotion. At all events, the officers should be put upon the same footing with the officers of the National Gallery. Under all the circumstances, he was against voting more money to the British Museum; and next year he should feel it his duty to move for a Committee of Inquiry. He thought he should then be able to show that great improvements might be made, so as to secure advantages to the public which they did not now derive from the institution. The number of visitors had greatly increased. Their numbers were threefold greater than six or eight years ago. He recollected when only seventy-five people were allowed to visit the Museum in the course of one day. Mr. George Rose, afterwards Sir George Rose, then stated that the number could not be increased, and that no more than five should be admitted at one time. There were now sometimes 32,000 in the course of a day. Lord Stanley, formerly opposed to unlimited admissions, had since declared that damage had not been done to the value of a sixpence in consequence of the change; and Sir H. Ellis, who was also opposed to the measure, had stated that events had proved his fears to be utterly groundless. The poorer the men who visited the institution, the more grateful were they for admission, and the better did they behave. It was a kind of half gentlemen—those who had not prudence enough to conduct themselves with discretion when possessed of some wealth, that took upon themselves to treat lightly both the attendants and collection. The number of visitors, which in 1840 was 247,000, went on increasing till, in 1845, it rose to 685,614. There were of the latter 64,427 in the reading-room; but the numbers who attended there had of late years greatly decreased. He did not intend to make any remark on the regulations in that department; but he begged to state that in 1840 the number of those who attended in the reading-room was 67,542; in 1841, 69,303; in 1842, 71,706; in 1843, 70,031; in 1844, 67,511; and in 1845, 64,427. The numbers in the last of those years were less than in any of the six preceding years. The number of artists, visitors of the gallery, was 4,256 less than in the six preceding years. Taking the whole number admitted—artists, readers, and general visitors, no fewer than 760,261 persons passed through the Museum in the course of twelve months; and, looking at the expense of the establishment for last year—47,850*l.*, the cost to the public was only thirteen or fourteen pence per head. If greater facilities were afforded, the number of visitors might be very largely increased. He did not grudge the money expended on the institution, but he objected to the mode of management; and he pressed upon the consideration of the hon. Baronet (Sir R. H. Inglis) and the other trustees the suggestions which had now been thrown out, and which, if they thought fit to adopt them, would, he believed, be attended with great public advantage.

Mr. EWART thought it would be of great advantage if increased responsibility were introduced into the management of the Museum, whether by adding other efficient persons or otherwise. He was happy to see that the visits of the public to institutions such as the British Museum, as well as to Hampton-court and other collections, increased every year. But he wished to address his observations, not to the general conduct of the Museum, but to the particular department of the library. A strong contrast existed between the regulations observed in the public libraries of this country and in those of the Continent. In that of the British Museum a restrictive system existed as regarded applications for admissions, which was very objectionable. He found by the printed regulations that the librarian was precluded from admitting persons unknown to him, except on the recommendation of gentlemen holding some official situation of a public kind; whilst in no other country was any such passport required. He considered it a great evil that in such an enormous town as this

there should be only one library open to the whole body of the public. In Paris there were five; and other large continental towns, such as Dresden, were also well supplied. If Government would establish libraries in the various districts, Westminster, Marylebone, Pimlico, and others, such a measure would be of great advantage to the public.

SIR R. H. INGLIS remarked, that the great evil, according to the hon. Member for Montrose, was the absence of responsibility in regard to the expenditure of the institution. Now it rested with the Government for the time being to consider the Estimates, and to decide upon all recommendations made by the trustees; in every instance the responsibility remained with the Treasury. His hon. Friend said, the Museum was only open on three days of the week; but he contended, that it was open on five days, for his hon. Friend could not say that the artists, and others who visited the institution for various objects, were not a portion of the public. So far from the regulation with respect to Tuesdays and Thursdays being objectionable, he contended that it was desirable, for the interests of the public, that artists should have facilities for attending the Museum on those days. With respect to the age of visitors admitted, there must be some limit. His hon. Friend who spoke last had said there was great difficulty in obtaining admission to the library; but he thought it evident, from the list of persons with whom was deposited the privilege of granting recommendations to applicants, that sufficient facilities in this respect existed. He thought he might apply to the British Museum the remarks which Charles II. had made upon the climate of England —that there were more days in the year, and more hours in the day, during which a man could be in the open air than in any other country. So the British Museum was open for more days in the year, and more hours in the day, he believed, than any similar institution of equal magnitude in a foreign country. Could his hon. Friend find that any such number as 64,000 persons in one year had been admitted into any of the foreign libraries to which he alluded? He believed, that no man in Paris ever knew a fourth of the number. The visitors to the Museum had increased thirty to one since 1820; there were now three times as many as six or eight years ago. A shorter interval elapsed, he believed, in the production of books required by readers in the library than was known in any other library of Europe. With respect to the facility of entering the British Museum, as compared with foreign institutions, it should not be forgotten that in the public institutions of the Continent there was a police most vigilant and rigorous, whilst in the British Museum there was none, at least of a secret character.

The vote was then agreed to.

NAVY ESTIMATES.

MR. H. G. WARD said, that as no statement with respect to the Navy Estimates had been made, he trusted to the indulgence of the House whilst he made a short explanation of the different votes; and he must, in justice to the hon. Gentleman whom he had succeeded (Mr. Corry), say, that if it had not been for his kind and liberal assistance, he should not have been able to make himself master of the subject. In the first place, he must remind the House of the precise state of the votes already taken; the first vote for the number of men had passed, and the number had been taken at 40,000; for the wages of these men 900,000*l.* had been voted; and there had been three separate votes on account of other votes; 400,000*l.* (vote 3) for victualling, 1,200,000*l.* (vote 11) for naval stores, and 400,000*l.* (vote 12) for new works; and on Monday last, the House had completed the second vote by voting 394,720*l.* to furnish the sum necessary for the charge of seamen, and 705,448*l.* (vote 15) for the half-pay. The whole amount of the votes for the year was 6,667,414*l.*; and, deducting the reserved credit of 190,461*l.*, the gross sum required would be 7,476,953*l.* As he had already stated, the whole number of men voted was 40,000; of these 27,500 were seamen, for the fleet, surveying vessels, troop-ships, and yachts, 2,000 boys, 5,500 marines afloat, and 5,000 marines ashore. The total wages required were 1,328,053*l.*; but after deducting the estimated credit of 33,333*l.*, the total sum required for the credit of the year would be 1,294,720*l.* There was on this vote an apparent increase of 5,177*l.*; but in fact the gross vote was the same as last year; but the reserved credit being less, the total sum required was larger by the difference. On the second vote, for the victuals of seamen and marines, there was an increase of 34,503*l.* caused almost entirely by the rise in the price of provisions, which accounted for 33,843*l.* out of the 34,000*l.* In the 3rd

vote, for the Admiralty-office, the vote was the same within 622*l.*, and that difference was caused by the change in the salaries of the clerks, which rose with the time of service, and by some increase in the establishment; but there was a decrease in the 13th vote by reduction of the list of temporary clerks. To the next vote (4) he ventured to call the particular attention of the House.. It was the vote for the General Register and Record Office for Seamen, which was very ably managed under Lieutenant Brown, at the Custom-house, and in which there was a decrease of 2,500*l.* in the amount for postages, for which too large a sum was taken last year. It was an Act which was very good so far as he had power of judging, and was working very well. Up to the 30th of June, 236,105 register tickets had been issued. Of these, 16,840 had been returned in cases of death and desertion; so that the number of tickets actually in the possession of the men was 219,266. He was told that the Act had proved a great check upon desertion from the merchant service; and he looked forward to a probable increase to 250,000 registered seamen in the merchant service. The Act had been particularly good as it affected apprentices. There had been 22,000 tickets attached to indentures since the 1st of January, 1845; and the total number of registered apprentices in merchant services was 25,000. There were, no doubt, some defects in the Act; there was perhaps too much of mulct and penalty, and too little of inducement to merit, and too little of permanent interest: but he looked upon it as the nucleus of much that was most valuable. It was a link between the mercantile and the Royal navy, and it would be the source and origin from which they might at a trifling expense draw in time of need, and with proper organization, the most powerful naval reserve. They would have at hand trained sailors always ready for the advanced ships, and, with proper classification and fit inducements for the men to enter the Royal navy in the event of war, they would find in this Act what was, in his opinion, the only substitute for the practice of impressment, useful and necessary, perhaps for the Crown, but always uncertain and inconvenient, and was frequently attended with circumstances which were painful and injurious. This Act, however, gave an organization which they ought to encourage. If they looked to France, they found that every man in the merchant service had passed through the Royal marine; they were all more or less practised men, and on the first emergency that might occur they were all available. He might say, without pledging the present Board of Admiralty, but speaking only his opinions, that no subject was likely to occupy so much of their attention during the recess; and if he should have the honour of making a statement next year, he hoped he should prove there was none to which he had turned his attention with so much good; certainly there was none which would be so satisfactory to himself. The subject was a large one, for the whole connexion between the two services ought to be reviewed, and if there were just causes of complaint, they ought to be dealt with in a kindly spirit. The subject of "Merchant Seaman's Fund" had been strongly pressed upon the Board, and they had been urged to introduce the Bill which had been brought in by the right hon. Gentleman (Mr. Gladstone) when President of the Board of Trade; but, on the whole, they had thought it better not to revive a Bill which was confessedly only a temporary expedient, but to consider the question carefully during the recess, and to deal with it as a whole next Session. The 5th vote was for the scientific branch; and of that he need say nothing, as this important service was fully appreciated in that House, except that there was an increase of 470*l.* In the 6th vote, for establishments at home, at Deptford, Woolwich, Chatham, Sheerness, Portsmouth, Plymouth, Deal, and Yarmouth, for packets, and for the victualling establishments, there was a decrease of 1,115*l.* In the 7th vote, for the staff of the dockyards abroad, the total amount required for those establishments in every part of the globe was 23,902*l.*, and in this there was an increase of 945*l.*, in consequence of works going on at Malta, which were absolutely indispensable for the service. The 8th vote was a large one; it was for the wages of the artificers in the establishments at home, and there was an increase of 61,797*l.* The whole amount required this year was 752,427*l.*, whilst the amount last year was only 690,630*l.* This increase was caused partly by increased repairs and works, and partly by substitution of free for convict labour in the different dockyards. There were only 800 convicts employed in the present year, 300 at Woolwich and 500 at Portsmouth, instead of 2,570, and the additional charge in the

yards was upwards of 28,000*l.* Vote 9 was for wages paid in establishments abroad, and this showed an increase of 1,725*l.* Vote 10 was for naval stores, and for the building, repairing, and outfit of the fleet; it exhibited an increase of 1,694,152*l.*, of which 437,285*l.* had been entirely caused by the increased activity of the different establishments towards the middle and close of last year. The items were—for the additional purchase of timber, 199,899*l.*; coals, 19,974*l.*; steam machinery, 170,000*l.*; and for steam guard-ships, 18,000*l.* It could not be said that this increase had been made before it was called for, or without a fair necessity which could not in prudence be disregarded. Vote 11 was for new works, improvements, and repairs; there was a net increase on this vote of 40,464*l.* The principal works were the substitution of iron roofs over the building slips in the dockyards for those of wood and tarred paper, which he thought were kind of premiums on fire in their great naval establishments; the improvement was going on, wherever repairs were required iron roofs were substituted; nothing could be more dangerous than the old and stupid system of covering these buildings with tar and paper, a single spark falling on which might have cost the country 1,000,000*l.* for the sake of a miserable economy of 10,000*l.* 156,500*l.* was for building steam basins at Devonport and Portsmouth. They had been built on a very large scale; but considering the preparations going on elsewhere, and the formidable organization of steamers and steam machinery on the French coast, it was impossible for England, with any regard to its own credit and safety, to remain behindhand. These works were being carried on with all economy, but also with the utmost activity; a similar work was in course of construction at Malta, where it was much wanted; the docks there had been enlarged, and would now hold steamers of 72 feet beam. Vote 12 was for medicines and medical stores, on which there was an increase of 1,515*l.* Vote 13 was for pilotage, distressed seamen, temporary clerks, and the purchase of land, being one of the votes on which there was a decrease; that decrease was 47,382*l.* Vote 14 was for half-pay to officers of the Navy and Marines; 15 and 16 for pensions for good service, Greenwich Hospital, civil pensions, superannuations, &c.; on these votes also there was a decrease. Vote 17 was for Freight on account of the Army and Ordnance Departments, on which there was an increase of 35,221*l.*; this was a charge which came under the Admiralty, but the Board had no control over it; it comprised the passages of troops and the freight of stores sent by sea for the service of the country. Vote 18 was a similar charge for the Home Department, 92,859*l.* for the transport of convicts, showing an increase of 1,186*l.* on the previous year; 5,065 convicts had been sent to Hobart Town and Norfolk Island, and 400 to Bermuda. The increase on the vote would have been greater but for a reduction in the freight of from 4*l.* 13*s.* 8*d.* to 3*l.* 17*s.* 1*d.*, on which the present Estimate was based. There had been in the present year an extraordinary increase in the number of convicts, to the number of 10,183, caused by an alteration in the dockyard system, from those establishments. There only remained the vote for the Packet Department, 544,587*l.* This included all the contracts for steam mails to every part of the Empire, extending to the East and West Indies, the Pacific, the Mediterranean, Ceylon and Hong Kong; it was a charge thrown on the Admiralty, but they had but little control over it; there was a net decrease on it of 187*l.* He had now gone shortly, but as clearly as he could, over the chief items of the Naval Estimates of the year; he felt they were very large; he knew that an expenditure of 7,500,000*l.* was one over which the House of Commons had a right to exercise a strict scrutiny as to details. He would only remind the House that for what was of the past, the present Board of Admiralty was not responsible; he saw no fault to find with the Estimates, but they had been handed over to them by their predecessors, and they had taken them as they were left. And for the future he was bound to say he should not feel justified in holding out any false hopes; he did not believe that any great reduction in these Estimates was probable or possible, so long as the naval establishments of other countries continued on the footing on which they were at present placed. He thought it both unfit and unsafe, he believed it would be dishonourable, for England again to run the risks she had twice done during the last five years, from an unwillingness to increase their naval establishment. He believed it would be in the recollection of every man who had held such a post as the gallant Admiral (Sir C. Napier), that there were

periods when any sudden rupture, either here or on the other side of the Atlantic, would have found them unprepared. He believed the maritime superiority of England was as great and decided as ever—that the heart, and spirit, and means of the country were as good as ever they were; but they had distinct evidence that, from a natural unwillingness to create alarm, these means had not been concentrated; they were not available on the instant in the event of sudden attack, and the country had been left vulnerable on some important points. Up to the present moment Woolwich was the only steam factory they possessed of any size. The basins at Portsmouth and Plymouth were not yet finished; and, if finished, they were not in a proper state of defence. The advanced ships presented a formidable list; but the arrangement of manning them were inadequate and unsatisfactory. In case of a sudden emergency, he confessed he should be unwilling to trust to the exercise of the power of impressment alone. It was a resource not to be trusted to to man such a navy; and to oppose untrained men, totally unacquainted with gunnery, to trained and practised crews, at the first outbreak of any maritime contest, would be imprudent and unsafe. He would rather seek to recall and collect together, by proper regulations, those elements of strength now scattered over the globe. By their own fault they were so scattered; and it was in their power to recall them, by devising a better mode of treatment for the gallant men upon whom the country must rely for its safety. His own opinion was worth nothing; but in the opinion of many experienced officers a great deal might be done by kind treatment of the seamen, proper training of boys in the service, and altering the foolish practice of discharging a whole ship's company the moment she was paid off. Why should a practice which would be utterly destructive of the discipline of a regiment be applied to a ship? Why not endeavour to make the men anxious to remain in the service, and give them the means of remaining in it, instead of turning them adrift to be plundered of their honest earnings, and compelled to transfer their services to other Powers? He should wish to see the men with a permanent interest in the service of the Crown. He looked forward to its being the task of the present Board of Admiralty, profiting by the experience of its predecessor, to organize, complete, and systematise the great defensive arrangements now in existence. Without entertaining any hostile or aggressive views, being as anxious as any man that the peace of the world should be preserved, he would still express his firm belief that the greatest security for peace was the conviction on the part of other nations that, as far as England was concerned, that peace could not be broken by them with impunity. That conviction would depend on the proper organization of those resources, in ships and men, which existed in every direction around them; and which, properly applied, would always make England the first maritime power in the world. The hon. Gentleman concluded by moving that 245,148*l.* be granted for wages and victuals of seamen.

Sir C. NAPIER admitted that he had listened with great pleasure to the speech of the hon. Gentleman the Secretary of the Admiralty, who had shown a degree of information which was exceedingly creditable to him, and which it was indeed not a little surprising to find in one who had been for so short a time in the department with which he was at present connected. He was really at a loss to think how the hon. Gentleman managed to have concentrated such a mass of information within so brief a period. He had arranged it, too, in a systematic and perspicuous manner; and he (Sir C. Napier) could with truth affirm that a clearer elucidation of the whole system of the navy he had ever heard. He concurred unreservedly in almost every proposition that had fallen from the hon. Gentleman, and particularly approved of what he had said respecting the mode of manning the navy. He was also completely of the same opinion with the hon. Member as to its being exceedingly improper, and, indeed, exceedingly dishonourable to this country, that the naval establishment should ever be in such a condition that in the event of a sudden emergency we should be taken at a disadvantage. Every thing ought certainly to be ready at a moment's warning, so that we might never be taken by surprise. He trusted that the new Board of Admiralty would look vigilantly to the discharge of their duties, and display more zeal and ability than their predecessors in office, of whom, by the way, he was surprised to find that only one had thought it worth his while to be present in his place on the present occasion. The mode of manning the navy was unquestionably a matter of the most serious importance. In the year

1841 it was the opinion of him (Sir C. Napier), and of several other naval officers, whose opinions might be supposed to be of some value, that the navy was very imperfectly manned. The right hon. Baronet, who then came into power, admitted that he was of the same opinion, and accordingly introduced a scale on which the service was for the future to be supplied; but he did not follow up his own system; and the consequence was, that there was still great cause of complaint in this department. No ships, it had been said, were for the future to be sent out to sea which were not manned in admirable style. There were, however, seven or eight sail of the line which were now afloat. Would it be contended that the sail of the line now afloat were manned in admirable style? Quite the contrary. He had no hesitation in saying they were improperly manned. If they were inspected, it would be found that they were manned not with a first-rate crew, but with a crew two rates below that, and that the ships were filled up with marines. He asked any naval officer in command of a man-of-war whether he would prefer having the number of marines on board doubled, rather than to have her properly manned with competent seamen? The system was a most improper one; and he protested against it accordingly. The gallant officer opposite (Captain Berkeley), whom he was delighted to find again a Lord of the Admiralty, had left that department some years ago under circumstances as honourable as those under which any public man ever resigned office. He went out because he could not see the navy manned as he wished it to be. It was to be hoped that his opinion on this important subject had undergone no change, but that now that he was in office he would abide manfully by the views which he had promulgated so emphatically when out of power, and take care that no ships should go to sea that were not manned in the first style, and in all respects properly equipped. He trusted that if the gallant officer and the other new authorities at the Admiralty manifested a desire to effect these desirable changes, the House of Commons would back them zealously, and supply them in a generous spirit with the funds requisite for carrying these projects into execution. He would not, on the present occasion, trespass on the attention of the House by discussing the votes one by one, having on Tuesday evening addressed them on the subject at considerable length; but there was one vote he could not forbear alluding to. It was that which was designed to cover the expenses of the dockyards and naval stores. The money here voted appeared to him to be quite too profuse. If anything like order or economy had prevailed, he certainly did think that they might have diminished a million and a half of money in the expenses of the dockyards and stores. He had here again to complain, as he had complained a thousand times before, of the gross defects of our present system of naval architecture. The ships which were constructed under that system—he would not say of them that they were absolute failures; but he certainly thought, and every naval officer must say the same, that they were bad men-of-war. They looked very charmingly in harbour; but to judge of them properly you should see them in a gale of wind, when it would be found that they would roll forty-five degrees leeward, and forty-three degrees windward. He trusted that the new Board of Admiralty would perceive the evils of the present system, and acknowledge the necessity of adopting a new plan. There was another point he was anxious to allude to. He meant the enormous expense which had been incurred since 1800 in cutting down ships of war. They had recently taken four 72-gun ships and four frigates —good men-of-war, or at least fair men-of-war—and these they had cut down to make block ships of. The practice was an inexcusable one. Why should men-of-war be thus sacrificed? If block ships were required, what was easier than to take old hulks, mount guns on them, and to tow them by steam boats to the positions it was desirable they should occupy? The cost of repairing these block ships had been set down at 18,000*l.*; but he would take upon him to say that the cost of these ships would not be less than 20,000*l.* a piece. Independent of that, there were engines put into them at an enormous expense; and he would answer for this, that those four sail of the line and four frigates when transmogrified into block ships would cost no less than half a million of money. Let them but wait until they had obtained a bill of expenses, and they would find that they would cost little less than the sum he had mentioned. And what was the use of them? Why, they would be absolutely useless. They would be put in dock with the machinery on board, and they would be totally useless altogether. Perhaps he would be told, "Oh, no! those vessels are

intended to go to sea; we will send them into the Downs." He (Sir C. Napier) asked, could they not send six vessels into the Downs with the same facility? Now, suppose those block ships were in the Downs and a westerly wind set in, and the enemy instead of going to the Downs proceeded to Plymouth, those block ships might be able to sail not more than five or six miles an hour, while the enemy's vessels could sail ten or twelve miles in the same time; and what then, he (Sir Charles Napier) asked, would become of their block ships? Now, with respect to their steam boats, he complained of the mode in which they were built. He went on board of one the other day in Woolwich, and she was exactly in the same position as the first steam boats they had built, and the engines and other parts were exposed to shot. He, therefore, conceived that they should change the present system. It was perfectly easy to do so, and he was sure that they would find that it would do a great deal of good. He had been allowed to build a steam man-of-war, and he had arranged that it should carry provisions for two hundred men; but when he went to look at the establishment of the *Sidon*, a paper from the Admiralty was shown to him, and that paper stated that she was to carry provisions for 240 men. But if they were to fit her out with a view to carry the order of the Admiralty into execution, she would, like other steam boats, be too deep in the water to be useful. He would suggest that the present Board of Admiralty should form some sort of Commission, to investigate and report what was the proper system of building steam boats, and thus save the country from the enormous losses to which it was subject during every year for the last twenty years. The Secretary of the Admiralty had said that steam boats were in their infancy. Yes, they were so in the navy; but it was not so in the merchant service. They were in their infancy for the last twenty years in the navy, and how long would it be before they came to maturity? If they went to Scotland, Liverpool, and Ireland, they would find steam boats belonging to the merchant service that could stand every weather.

Sir GEORGE COCKBURN felt, after the statement which had been made by the gallant Officer on his left (Sir C. Napier), that it was quite right he should say a word on the subject. In the first place, it was said that after they (the late Board of Admiralty) came into office, they agreed in thinking that ships of war should go to sea fully manned; but at the same time, with respect to the ships that were kept in the Channel, he explained at the time—two or three years ago—he felt that they could exercise those ships without being fully manned. They were enabled, with the sum they got from Parliament, to send more vessels where they were wanted—for instance, to Brazil and China—than if they had those vessels of the line fully manned at home. As to sending a double number of marines on board, it was exceedingly useful if they were looking out for the chance of a war, for a portion of them were lately enlisted, who were fit to act as soldiers, but it was necessary to have some experience at sea. He was old enough to remember the last war, when they were obliged to put soldiers on board, and they were all dead as it were from sea sickness. In the event of a war they had now a vote for 40,000 men; but if they had the vessels fully manned, they should have 43,000 or 44,000 men. They should, he repeated, send the marines to sea, to get sea legs, and give practice to the officers and men. As to the next charge, with respect to the cutting down of the block ships, the House would remember that it was not a proposal of the Admiralty at all. There was an order from the Government to appoint a Commission to visit all their ports, and see what was necessary to be done for their protection, in consequence of the French having got a steam navy. That Commission went round to the different ports, and the recommendation of that Commission was adopted by the Government, requiring that a certain number of line of battle ships, and of frigates, should be prepared to aid the batteries in the different positions in which they might be attacked; and it was thought wise that a screw propeller should be put to each of them to enable them to shift their position from side to side, where the attack of the enemy made it necessary. One of those vessels was to be completed with the screw, and the order was that others were not to be completed until that one was tried. His hon. and gallant Friend had stated that they had not a steamer that was a perfect man of war. They had often heard that statement before, and it was contradicted over again. He might mention an officer well known to the country, Sir Edmond Lyons, now Minister in Greece, and in his opinion the *Terrible* and *Devastation* were

most efficient vessels. The *Gomer* (French vessel) was not to be compared to the *Devastation*; and it was quite right in his (Sir G. Cockburn's) opinion, as they had ships of the size in France, that in England they should have some ships of the same description, and therefore it was that those ships were built.

CAPTAIN BERKELEY said, it had been his pride during his professional career, to endeavour to the utmost of his power to make the ship effective to which he belonged; and it was now his pride to assist in making the British navy as effective as possible. He was sure they had the finest fleet in the world, both ships that sailed and steamed; but he confessed there might be some difficulty to man those ships, and particularly in cases of emergency. He was desirous that attention should be paid to the manning of the navy; and he hoped the gallant Commodore would never have to say that he forgot one word in office, that he had said out of it. He thought there had been too much amateur shipbuilding, and he wished that a minute, left by Lord Minto on his retirement from office, had been strictly followed. That noble Lord, foreseeing, it would appear, what was about to take place, cautioned his successors, and through them the public, not to go too fast to endeavour to vie with others who were building bad steamers, when the small class of steamers were much better and more efficient for every purpose than all the large ones they could put together.

CAPTAIN PECHELL was always anxious for the prosperity of the British navy, and could safely say that he never made an observation tending to lower it in comparison with other navies. The hon. Gentleman the Secretary of the Admiralty had gone through the items in a very clear manner, but he had not told them how he intended to apply them. He would wish for information on various matters connected with this subject. He would wish, for instance, to hear how far the scheme, in connexion with the French Government, for the suppression of the Slave Trade, entered into by Her Majesty's late Government, had been successful, comparing the operations of the French cruisers with those of this country. There were, he believed, no treaties between France and the Brazils or Spain, that would warrant the French cruisers in attacking any vessel under the flags of those nations. He would also like to hear what was to be the policy of the Government with regard to the employment of admirals. It was, he thought, strange that the superintendent of Woolwich Dockyard, whose services were considered so important and pressing that he was not permitted to sleep out of the dockyard without the express orders of the Admiralty, should be taken from his post and placed in command of the experimental squadron; and it was equally strange that the Mediterranean station should be deprived of its only admiral, who was sent to command that squadron, which he had not yet been able to find. Many of the old officers felt aggrieved that they should have been passed over, and that their representations should not have been attended to. He would like to hear whether the Board of Admiralty approved of their conduct in this respect. He would likewise wish to know whether they intended to continue the same system pursued heretofore with regard to the conveyance of specie — namely, of giving the commander a direct interest in the amount placed under his charge, by paying him a certain portion of it. He next came to the matter of which he had given notice. He alluded to the case of a certain portion of the paymasters and pursers of the navy. The case of these officers was one of very great injustice. When placed on half-pay they were in three classes, who were paid at 3*s.*, 4*s.*, and 5*s.* a day respectively. It was found very unjust to old officers that they should not rise to more than 5*s.* a day, and the pursers accordingly agreed among themselves to forego some of their sea emoluments in order that their old officers on half-pay should have an increase of pay. The Report of the Commission of Inquiry instituted on the matter recommended an addition of 1*s.* a day to the pay of the first class of these officers; and the amount sacrificed by the pursers to ensure this object from their sea emoluments was 9,600*l.* a year. In addition to this, 23 per cent was taken off other emoluments, making a further sum of nearly 9,000*l.* a year. A total sum of 18,600*l.* thus came into the hands of the Chancellor of the Exchequer; but instead of these arrangements having been carried out by the Admiralty, they reduced the first class from 200 to 100. The consequence was, that a balance of 4,384*l.* was retained by the Government every year out of the amount so subscribed, and that 2,737*l.* a year was taken out of the pockets of 100 officers who ought to be in receipt of additional

pay to that amount. He would ask any member of the Admiralty, and more particularly of the late Board, whether they could deny any one of the statements contained in the memorial of this class of officers? Some of the officers who had been so removed were from thirty to forty years' standing, and among others he might mention that the paymaster of the *Victory*, an officer of between thirty and forty years' standing, was still only in the third class. He would also wish to draw the attention of the hon. Gentleman the Secretary of the Admiralty, to another class of officers, namely, the masters. A master in the navy was in fact a master over nobody. Whenever there was any danger he was always at hand, but when promotion was in question he was never heard of; when there was any responsibility or blame to be attributed, the master had his share as well as the captain; but when honour was to be conferred, nobody thought of sending for the master.

ADMIRAL DUNDAS said, when the Board of Admiralty had employment for admirals, the old officers would not be forgotten. As to the question of the hon. and gallant Gentleman respecting the conveyance of specie, he believed a great part of the emolument went to the support of Greenwich Hospital. There could be no doubt but that the pursers were a most deserving class of officers, and he was sure the hon. and gallant Admiral opposite was prepared to explain the treatment of which the hon. and gallant Gentleman complained.

SIR GEORGE COCKBURN said, the arrangements made with the pursers in 1841 was at their own application. The Commission which had been appointed on the subject went into the entire case of these officers, and recommended the additional retiring pay of 1*s.* a day; but that was no part of the original bargain entered into when their pay had been increased.

CAPTAIN HARRIS had heard with much pleasure the statement of the hon. Gentleman the Secretary of the Navy, and cordially approved of the useful reforms the hon. Gentleman proposed to introduce. But he must call the attention of the Lords of the Admiralty to the mania which prevailed of putting very few and ponderous guns into our ships. Such a system would entail the same disastrous results as the opposite extreme of employing guns of too light a calibre. Our three classes of frigates threw one-sixth less weight of broadside than French and American ships of the same tonnage. The *Vernon*, larger than any of the French 60-gun frigates, carried two guns less on her main deck. The *Pique*, 100 tons more than the *United States*, threw 420 lb. less weight of shot. The old frigates of 1,000 tons, with a converted armament, would be overmatched in close action by the American corvettes of 800 tons. The ponderous swivel guns on the upper deck were only useful where steam power enabled a ship to choose her own range. Their crews were wholly exposed to the fire of musketry in close action from the want of bulwarks, and for the same cause they could not be fought in a sea way. At that late hour of the night he would not go into further details, but he trusted that this vicious system would not be persisted in.

MR. G. H. HENEAGE wished to call the attention of the Committee to the large expenditure in forming a steam navy. They had hitherto no experience of the use of such enormous war steamers; those hitherto usefully employed in China and elsewhere were comparatively of a small class. A number of these large steamers had been sent to sea with the experimental squadron, and on a gale coming on they were not to be seen at the end of twenty-four hours, although the rest of the squadron kept together.

Several other Votes agreed to.

House resumed. Resolution to be reported.

House adjourned at a quarter-past One.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME LXXXVII.

BEING THE FIFTH VOLUME OF SESSION 1846.

EXPLANATION OF THE ABBREVIATIONS.

1*R.* 2*R.* 3*R.* First, Second, or Third Reading—*Amend.*, Amendment.—*Res.*, Resolution.—*Com.* Committed.—*Re-Com.*, Re-committed.—*Rep.*, Reported.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.* Additional Clause.—*neg.*, Negatived.—*l.*, Lords.—*c.*, Commons.—*m. q.*, Main Question.—*o. q.* Original Question.—*o. m.*, Original Motion.—*p. q.*, Previous Question.—*r. p.*, Report Progress—*A.*, Ayes.—*N.*, Noes—*M.*, Majority.—1*st Div.*, 2*nd Div.*, First or Second Division.

☞ *The * indicates that no Debate took place upon that Reading.*

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